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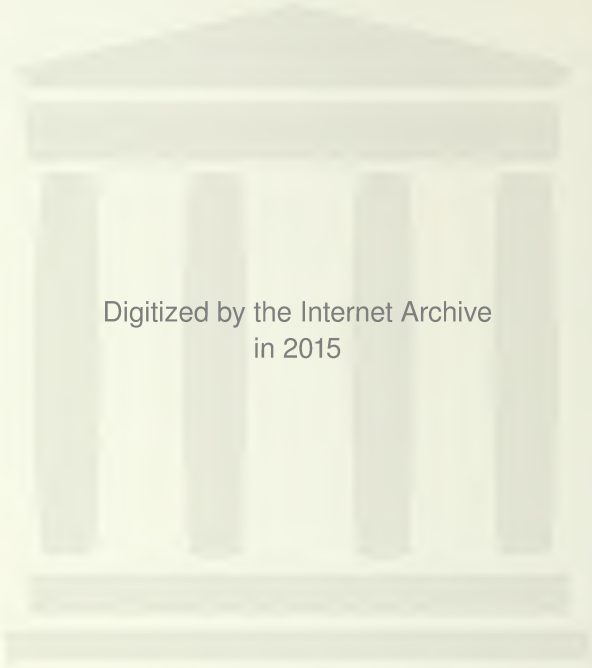
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TELECOMMUNICATIONS POLICY COMMITTEE

MINUTES

1986

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CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 • TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

AGENDA FOR THE MEETING OF JANUARY 6, 1986

I. Call to Order at 4 p.m.; Adoption of the Proposed Agenda; Approval of the December Minutes; and Excused Absences

II. The Viacom Report

III. Approval of the Budget Request for General Funds to Operate the TPC Office

IV. Consumer Services and Ascertainment Subcommittee
Report on the Two Surveys

V. Public Access Subcommittee

Discussion of Public Access Management -- The Culture and Recreation Committee Hearing in February

VI. New Business
Election of Officers

VII. Adjournment at 6:00 p.m.

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TELECOMMUNICATIONS POLICY COMMITTEE

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A Citizen's Committee Appointed by the Board of Supervisors

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MINUTES OF THE MEETING OF JANUARY 6, 1986

CALL TO ORDER AND ROLL CALL

The Chair (Esteves) called the meeting to order at 10:00 a.m. at the Committee's office at 1182 Market Street.

Members present: Rhonda Abrams, Gwen Dilworth-Battle, Roberto Esteves, Cary Fong, George Kelsey, Hal Layer, Sue Levitin, Emily Pike, and Michael Singsen

Staff: Connie Brand, Dick Hoss and Andrea Torrice

Visitors: Debra Newman, an analyst from the Harvey M. Rose Corporation; and Jamie Jameson, a person interested in cable tv

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The Committee approved the December minutes as written and adopted the agenda as published.

THE VIACOM CABLEVISION REPORT

Sue Levitin reported that Merle Mason has left Channel 25 for a position with BAVAC. Michael Freeman will be Channel 25's manager.

Levitin reported that Viacom is about to start construction in the Western Addition where a lot of underground work is required. The company has finished the St. Mary's Woods area and the underground work at Diamond Heights is completed.

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A discussed ensued about the CCTA's proposed legislation which would assure tenants in multi-unit dwellings the right to be wired. The Chair referred the matter to the Policy Committee.

THE TPC'S BUDGET REQUEST

Dick Hoss presented the TPC's request for general funds. He reported that the Rules Committee will hear the budget for the Department of the Board of Supervisors on January 28th. The Board of Supervisors is the only department to have its request screening by the Rules Committee and by the Finance Committee.

The Committee discussed various cost categories and asked for a fuller account of the funds requested for travel, for memberships and for the performance of a subscriber survey.

MOTION: The TPC approves the budget request as presented with the specification that the travel, membership dues, and subscriber survey portions of the budget be explained in greater detail to the satisfaction of the Executive Committee. The Executive Committee is authorized to make required changes. Seconded and carried.

THE CONSUMER SERVICES AND ASCERTAINMENT SUBCOMMITTEE REPORT ON THE TWO SURVEYS

The survey of San Francisco residents concerning their attitudes towards delivery of cable television service was taken up first.

The co-chairs, Layer and Levitin, reported that Dr. Bob LaRose met with the Subcommittee on December 20th and made a detailed presentation on the ELRA report. Further analysis, graphics and cross-tabulations were agreed upon at the December 20th meeting.

The co-chairs reported that Dr. LaRose will appear at the TPC's February meeting to make a presentation on the final report.

The ensuing discussion included a request for a zip code spread.

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The report on the evaluation of the technical performance and signal quality of Channel 25 was taken up.

The co-chairs reported that Mr. Aubrey Harris, delivered a written report to the TPC on December 4th and that Viacom Cablevision is in the process of replying to Mr. Harris' findings.

MOTION: The TPC requests Viacom Cablevision to respond to the Harris report by January 15th. Seconded and carried.

The co-chairs reported that they will hold a subcommittee meeting in January for the purpose of meeting with Mr. Harris on his Channel 25 report. The Viacom response to Mr. Harris will be discussed at the same time and the Subcommittee will make a Channel 25 evaluation report at the TPC's February meeting.

Singsen said that the Public Access Subcommittee would also like to reply to the Harris report. He asked that the reports be made available for the Public Access Subcommittee meeting on January 29th.

Mr. Jameson, an observer, asked for a copy of the Harris report. A discussion ensued as to whether or not the Harris report should now be released to the public. The talk centered around the issue of when a report becomes a public document rather than a draft or preliminary paper.

Layer said that the Subcommittee will submit a Channel 25 report to the TPC which will include the Harris report and the Viacom Cablevision report.

The consensus was that the Harris report will not now be released to the public because the Consumer Services Subcommittee has not met with Mr. Harris yet and because the TPC has not, as yet, accepted the report.

The Chair asked Hoss to get a City Attorney's opinion as to when a document becomes a public document.

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The Chair took up the matter of the signal testing portion of Mr. Harris contract. He asked Co-Chair Layer to make a progress report on preparation of the signal testing profile at the February meeting.

Layer asked if the TPC feels that it needs to approve the specification document.

Hoss reported that Mr. Harris is not always readily available and that a specification document may not be ready for the February meeting.

THE PUBLIC ACCESS SUBCOMMITTEE REPORT

Singsen reported on the Committee on Culture and Recreation hearing which was held on December 5th. He reported that the TPC's access development budget request was presented at that time and approved in the full amount. However, the Culture and Recreation Committee reserved $6,000 requested for "Training Workshops" and $3,440 requested for "Grants" until it approves specific recommendations regarding the formation of a non-profit access organization.

Questions were asked about how the TPC members represented themselves at the Culture and Recreation Committee meeting; and Public Access Committee representatives were asked why the funds were reserved.

George Kelsey said that the funds were reserved because the Culture and Recreation Committee was convinced that it was premature to allocate money for grants to production without a vehicle to administer the grants. Kelsey said that an additional problem developed because no standards for training were agreed upon and there was no agreement as to who would do the training.

A discussion ensued as to whether or not the December 5th Committee hearing was an instance of members of the TPC doing their business at the Board of Supervisors rather than at the TPC level.

Singsen presented two resolutions for informational purposes but said that he would not ask for a vote on them. He was asked if he had met with Viacom Cablevision on the matter and said that he had.

The TPC recessed briefly to read the resolutions.

The Chair said that his understanding was that the resolutions are for consideration at the subcommittee level where public in-put can occur.

Singsen agreed that that was the case but that not all TPC members attend Public Access Subcommittee meetings and that he wants them to be informed.

The ensuing discussion of the resolutions included a comments on the funds raising aspect of a resolution; the matter of dividing training grant funds and production money among the TPC's three access entities; the identity of the fund raiser; whether or not Viacom Cablevision would consider City money to be a match; whether or not the Board of Conveners would remain separate or become members of the final board; and the dynamics of obtaining tax exempt status.

MOTION: The TPC waives the 12:00 p.m. adjournment time and extends the meeting for an additional fifteen minutes. Seconded and carried.

Singsen made concluding remarks in support of the resolutions.

ELECTION OF OFFICERS

The Chair announced that he is not running for reelection as Chair and that he would like to proceed with nominations today.

MOTION: The TPC suspends the rule which calls for nomination of officers in December and agrees to proceed with nomination of officers. Seconded and carried.

Emily Pike was nominated as the member to serve as Chair during 1986. The nomination was seconded and nominations were closed.

The following members were nominated for Vice Chair: Roberto Esteves, Hal Layer and George Kelsey. The nominations were seconded.

Cary Fong was nominated for Treasurer and the nomination was seconded.

STAFF REPORTS AND OTHER ORGANIZATIONAL MATTERS

The Chair asked the Policy Committee to meet rather soon and prepare for the franchise window negotiations.

The Chair also announced that he expects some progress on the annual report and will include the annual report on the February agenda.

Connie Brand announced that she will mail a report on the Western Cable Show.

Andrea Torrice presented written and printed materials which included an arts calendar and an announcement by the Lorraine Hansberry Theater.

Hoss reported that the TPC has experienced some trouble in being included in the Department of the Board of Supervisors' five-year plan for use of computers and word processors (i.e. the EISPC plan).

The TPC adjourned at 12:14 p.m.

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CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 • TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

December 31, 1985

TO: CTPC MEMBERS

FROM: ANDREA TORRICE, PUBLIC ACCESS DEVELOPMENT COORDINATOR

RE: STAFF REPORT FOR NOVEMBER AND DECEMBER, 1985

PROGRAMMING

Two new programs cablecast on Channel 25 in November, CITY VOICES, which features local newspaper editors and writers covering issues in their community, and THE UNITED WAY AND YOU, which features United Way agencies, and discusses the services they offer. Both programs received some press coverage, including listings in the Bay Guardian.

Two shows in the pre-production phase include ADVOCATES FOR WOMEN, a show which will focus on issues that effect women before, during and after job placement, as well as childcare, self-esteem, and re-entering the job market. Advocates For Women is an employment service funded in part by the Private Industry Council, and both the PIC and the AFW office are excited about the upcoming program. The first program will cablecast January 15 at 9:30 pm. TARGET ART is also scheduled to be cablecast in January. This program will feature upcoming arts programs in a calendar format. Both programs are being produced by new volunteers recruited from social service and arts organizations.

OUTREACH

The Public Access Subcommittee has expanded its advisory board to include new groups interested in public access. Six advisory members joined at the October Subcommittee meeting: Al Repato, Community Relations Director for Pacific Telephone; Oscar Maciel, Director of the Mission Cultural Center; Carol Lawrence, Director of Ngazu Films; Solomona Aoelua, Project Coordinator for Pacific Education Network, Antonio DeCastro, Program Director of Filipinos in the Arts, and Rick Pacurar, President of the Harvey Milk Club and Executive Director of Project Artaud.

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Twelve people attended the November 9 Community Producers workshop Participants included volunteers for the Advocates for Women program, the Target Art program, and the Cambodian Women's Association. These workshops are proving to be an effective first step in bridging the gap between writing a script to producing a show at Channel 25. All CTPC members are invited to take a workshop.

The San Francisco Chapter of the League of Women Voters has been contacted, and is considering development of a regular public access program on Channel 25. I am preparing a presentation for the League in the next month. The Golden Gate Chapter of the Boyscouts invited me to be one of the keynote speakers at their annual Chapter meeiting. The Scouts currently produce a program entitled "Young Ideas". The meeting and speech will cablecast on Channel 25 sometime in January.

POLICY

As directed by the CTPC, I spent several weeks preparing a report regarding different types of non-profit public access management models. Articles of incorporation and statements of purpose from other access organizations around the country are now available at the CTPC office.

The November and Decmber staff reports are combined because I was on vacation for the last two weeks of December.

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CITY AND COUNTY OF SAN FRANCISCO

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MINUTES OF THE MEETING OF FEBRUARY 3, 1986

CALL TO ORDER AND ROLL CALL

The Chair (Esteves) called the meeting to order at 9:00 a.m. at the Committee's office at 1182 Market Street.

Members present: Rhonda Abrams, Gwen Dilworth-Battle, Roberto Esteves, George Kelsey, Hal Layer, Sue Levitin, Emily Pike, and Michael Singsen

Members absent Cary Fong

Staff: Connie Brand, Dick Hoss and Andrea Torrice

Visitors: James Anthony, a producer

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The Committee deferred approval of the January meeting minutes until the March meeting and agreed to take up the Public Access Subcommittee report as the first item on the agenda.

The NON-PROFIT ORGANIZATION

Singsen reviewed the TPC's action at the December 2nd meeting when it adopted a resolution supporting, in principle, five goals for public access; and a second resolution designating Friends of Public Access as the organization to carry out those goals and other activities directed by the TPC and the Board of Supervisors.

The TPC, on December 2nd, reserved the right to determine the structure and duties of the proposed non-profit organization; and committed itself to providing funding by use of Viacom grant money and with access development funds (December 2nd resolutions attached).

Singsen reviewed the TPC's action in tabling his motions #3 and #4 on December 2nd. He described the Public Access Subcommittee's efforts in the time since then and concluded by presenting a report consisting of one resolution (attached). Singsen offered a motion.

MOTION: The TPC accepts the Public Access Subcommittee's report on the formation of a public access non-profit organization as a draft document to be presented to the Committee on Culture and Recreation for the purpose of generating a discussion and for a public hearing which may result in refinement of the proposal and re-referral to the TPC at its March meeting. Seconded by Kelsey.

The Chair opened discussion on the motion.

Abrams reviewed the recent history of the proposed non-profit organization. She praised the Public Access Subcommittee for its work in reaching a degree of unanimity. Abrams said that she had talked to a number of TPC members and had met with Esteves and Singsen some time ago. She alluded to serious concerns about the scope of the proposed non-profit organization's activities.

Abrams distributed two resolutions and asked that they be substituted for the Public Access Subcommittee's report.

MOTION: The TPC accepts Abram's Motion #3 and Motion #4 as a draft report to be presented to the Committee on Culture and Recreation for the purpose of generating a discussion and for a public hearing which may result in refinement of the proposal and re-referral to the TPC at its March meeting. Seconded by Pike.

The Chair called for a discussion of proposed substitute motion #3.

Abrams noted that her motion #3 refers to "Friends of P.E.G" (Public, Educational and Public Access) rather than "Friends of Public Access" and reported that her first and foremost expectation is that the organization will raise funds.

Abrams said that she believes that the reporting required by benchmark #2 is necessary; that we are in a different financial situation than previously; and that the resolution's resolved clause presents the possibility of expanding the role and responsibility of the non-profit organization if the TPC's goals have been met.

Singsen asked Abrams who she worked with on the substitute motions and asked why she did not contact him.

Abrams responded that the resolutions reflect her viewpoint, that her work is based on comments made at meetings and that she did not have time to contact Singsen.

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The Chair (Esteves) said that he would call upon each TPC member for an opinion on the motion and then led off with comments of his own.

Esteves said that he prefers "Friends of Access" as a name for the group, rather than "Friends of PEG."

Esteves praised the first benchmark, the raising of $40,000 and expressed appreciation for the additional $15,000 proposed as a goal for assistance to community producers.

Esteves approved the reporting requirement in the second benchmark but asked for the legal basis for enforcing control of the non-profit organization's programmatic and policy activities.

Esteves approved of the third benchmark's call for the development of guidelines for assistance for community production with distribution of funds to be made in a fair and equitable manner and in accord with the diversity of the City's population.

Esteves objected to benchmark #4 as establishing "Friends of PEG" as the fiscal agent for "all" access monies.

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A discussion evolved around whether the motion should call for the establishment of a permanent board. Abrams was asked if the "Friends of PEG" would also be an interim board. She replied that her proposal was aimed at the whole non-profit organization and not an interim board for public access.

Abrams was asked if "Friends of PEG" was to serve as a fiscal agent for "all" money including City money. Layer proposed that the mandate be reduced to handling all "privately obtained" money and not public funds.

Layer asked how restrictive benchmark #2 is in respect to "Friends of PEG" developing policies. Abrams agreed that the non-profit organization could establish its own internal operating policies.

Pike alluded to the question which the Harvey Rose Corporation auditors raised about the proliferation of fiscal agents and asked why a third n.p.o fiscal agent should be formed. Abrams said that she assumed that "Friends of PEG" would supplant the other non-profit organizations and, therefore, would not be a proliferation.

An extended discussion about fiscal agents ensued and Abrams agreed to strike the word "all" from the benchmark #4 proposal concerning a fiscal agent handling "all PEG access monies."

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Singsen objected to the substitution of Abrams' motion #3 for the Public Access Subcommittee's report.

He noted that the Committee on Culture and Recreation meets in three days and said that this does not leave sufficient time in which to contact the people who attended the Public Access Subcommittee meeting on January 28th.

Singsen said that a broadly based "Friends of PEG" would run counter to the notion that a "Friends of Public Access" is required to support public access. He expressed the opinion that public access would lose by the proposed arrangement because educational and municipal access would be given more weight and that public access would be condemned to continued mediocrity.

Singsen asked how the money would be divided.

Abrams noted that donors may want to specify the use of donated funds.

The question of whether the "Friends of PEG" would set its own agenda was raised with the comment that the TPC can't impose all of its expectations on a non-profit organization with its own legal identity.

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The Chair called on George Kelsey for comments.

Kelsey said that raising $40,000 is an ambitious undertaking and recommended that it be called a goal so that the non-profit organization will not be discredited if it falls short of raising that amount.

Kelsey reviewed the benchmark #2 language which would restrict the non-profit organization's ability to undertake programmatic and policy activities. He expressed doubt that the TPC can control the actions of a n.p.o. and suggested that the TPC may be able to shape the activities of an interim board by setting time limits on its activities.

Kelsey approved the contents of benchmark #3; and expressed support for developing guidelines for financial assistance for community production in a fair and equitable manner which reflects the diversity of the City's population.

Kelsey took exception to benchmark #4 in respect to making "Friends of PEG" the fiscal agent for "all" monies. He expressed doubt that the n.p.o. can accept donations and then use them for City purposes.

Kelsey also alluded to Viacom Cablevision's commitment to activate two additional access channels; and expressed the notion that each of the three access functions should be handled by a separate group. He envisioned public access and educational access as working together for awhile but saw no future in a "one umbrella" concept of a n.p.o.

Kelsey alluded to the preference which public access users had expressed for a "Friends of Public Access" concept; to statements made at the TPC's 1983 hearing and at a Public Access hearing held at Channel 25 in 1984; and to comments made at subsequent public access meetings. He said that over thirty speakers had appeared at the Public Access Subcommittee's January 28, 1986 meetings.

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Esteves said that he does not want municipal access to dominate access activities; or a citizens' group to dominate the municipal sector. He said that he is willing to accept the ambiguity of the n.p.o. for awhile because he knows what is involved.

Esteves regards use of the "Friends of PEG" as an option rather than an obligation. He recommended amending the policy later if additional items are required.

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The Chair called on Gwen Dilworth-Battle for comments.

Dilworth-Battle raised the issue of benchmark #2 language which would restrict the n.p.o.'s ability to undertake programmatic and policy activities. She expressed doubt that the TPC can dictate policy and programs to another organization; and alluded to the problems which could arise from overlapping areas of responsibility.

Dilworth-Battle raised the issue of an interim board being accountable and also requested that a training component be added as a benchmark.

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The Chair called on Emily Pike for comments.

Pike referred to the TPC's obligation to raise $25,000 to match Viacom Cablevision's grant and asked whether the

proposed board of directors should be interim or permanent. She suggested that the TPC impose a time limit on an interim board if one is formed; and said that she saw nothing in the motion which would prevent evolution of additional access organizations.

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The Chair called on Hal Layer for comments.

Layer asked for inclusion of a training component as a benchmark. The Chair asked him to propose language.

Layer proposed the addition of language which would require the "Friends of PEG" to "develop guidelines for the implementation of a vigorous training program."

Layer recommended that the n.p.o. board oversee training for use of access. The training program could be something to develop the City's young people; and could provide something of use to the City.

Abrams agreed to accept the amendment.

The Chair asked Abrams to respond to the suggestions made so far.

Abrams said that the n.p.o. could contract for training.

Abrams referred to the doubts expressed about the TPC dictating policy and programs to another organization.

Abrams said that the provision is merely a benchmark by which the TPC will control use of the access development

funds; and that imposition of a benchmark is a fair and equitable thing to do since the TPC is entrusted with the .2% proceeds. She said that she deliberately omitted goals other than fundraising.

Abrams agreed to delete the word **"all"** from the provision which would designate the n.p.o. as the fiscal agent.

Abrams said that the raising of $40,000 in one and one-half years is not an ambitious goal; and that her proposal cannot fairly be characterized as a radical departure from her earlier position.

Abrams concluded by saying that if her motion is adopted that it would be a reflection of the TPC's overall viewpoint and an expression of a goal of not favoring one access sector over other access sectors.

.....

Singsen alluded to the December 2nd meeting at which the TPC adopted one resolution supporting, in principle, five goals for public access; and a second resolution designating Friends of Public Access as the organization to carry out those goals and other activities directed by the TPC and the Board of Supervisors.

Singsen asked how the reference to "Friends of Public Access" can be reconciled with "Friends of PEG." He concluded by asking what the funds would be used for.

Esteves suggested that Abrams' motion #3 be amended to read "Friends of Access" rather than "Friends of PEG."

Abrams agreed to the amendment.

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The Chair reviewed the TPC's amendments to Abrams motion #3. Abrams accepted the amendments to her motion. The Chair then presented the motion as amended.

Singsen spoke against the motion and said that he intends to appear before the Committee on Culture and Recreation as a citizen in order to present the Public Access Subcommittee's viewpoint.

Kelsey asked that the motion be voted down as a substitute for the P.A. motion and asked the TPC to consider adding its input to an earlier motion.

Esteves spoke in favor of the motion as a substitute for Public Access Subcommittee's report. He said that he regards the motion as embodying a good solid set of instructions for an interim board and supports the motion as a working document. Esteves expressed the notion that the December 2nd resolution, by speaking only of public access, has a potential for building walls among the three access sectors.

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The TPC then discussed the fact that the December 2nd resolutions referred to "Friends of Public Access" and

today's motion #3, as amended, refers to "Friends of Access. No action was taken to reconcile the difference.

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The Chair asked that the motion be read.

MOTION: The TPC approves Abram's motion #3 as amended. Seconded.

A roll call vote ensued. The following members voted in favor of motion #3 as amended: Abrams, Dilworth-Battle, Esteves, Layer, Levitin, and Pike. Kelsey and Singsen voted against the motion. Fong was absent.

The Chair declared that the resolution was adopted (copy attached).

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James Anthony, a producer, asked permission to speak; was granted time; and made a series of very detailed comments. A point not previously covered was a question about what had happened to the P.A. Subcommittee's recommendation of an internship program; and the question of whether some interim board members would be "grandfathered" onto the permanent board.

The Chair referred the "grandfathering" issue to the staff.

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The TPC then considered a staff survey of cities which have formed a single non-profit organization to handle public, educational and municipal access.

Torrice and Brand reported on a survey of non-profit access arrangements across the country.

They found that five cities, among the 6,000 cabled cites, have combined operations that include the PEG access interests in a single non-profit organization. Most of the hydra-headed organizations were found in cities which had recently granted franchises.

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Abrams asked for discussion of her substitute motion #4. She agreed that her list differed from the P.A. list and said that she regarded her list as being able to raise money.

Kelsey objected to the list on the basis that no one on it had a direct connection with cable tv.

Pike noted that the City has voted not to do business with companies dealing with South Africa and questioned the listing of several corporations.

Singsen endorsed the notion of raising money but characterized motion #4 as moving away from the community.

Brand asked who would staff additional activities.

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The Committee considered the formation of a community advisory board.

Esteves thought that politics on a board which included a number of community organizations could drive donors away and that prolonged controversy could kill the ability to raise funds. He found Abrams motion #4 to be more positive than negative. Esteves offered a motion.

MOTION: The TPC shall form a citizens' advisory committee with representation on the board of the proposed non-profit organization. Seconded.

The Chair opened discussion on the motion.

Abrams said that four of the five TPC appointees could be from the ranks of the advisory committee.

Brand asked who would staff the advisory committee.

Singsen noted that, even if the Mayor, the Board of Supervisors and the TPC appointed community cable tv people to the board, public appointees would be in the minority on seventeen member board. He characterized the proposal as exclusionary.

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The Chair noted that the adjournment time of 11 a.m. was approaching.

MOTION: The TPC moves to extend this meeting for twenty minutes. Seconded.

The TPC's workload was discussed and the motion was amended.

MOTION: The TPC moves to extend this meeting for twenty minutes and agrees to hold an additional meeting of the full TPC this week. Seconded.

The Chair took a vote. Members voting to extend the meeting and to hold an additional meeting were: Esteves, Kelsey, Layer, Pike and Singsen.

Abrams, Dilworth-Battle and Levitin voted against the motion on the basis that they couldn't attend a second meeting in one week. Fong was absent.

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The Bay Area Council's composition was discussed.

Esteves then withdrew his motion to form an advisory committee and asked Abrams if she would withdraw her motion.

Abrams suggested that, if the issue is not resolved, that the TPC refrain from presenting a list of organizations to the Committee on Culture and Recreation on February 6th and settle the matter in March.

The Chair asked for resolution today. Pike offered a resolution.

MOTION: The TPC will establish an interim board of directors for Friends of Access. The board shall consist of seventeen members who will take the legal steps required to establish a non-profit organization. The seventeen board members shall be selected from a list of organizations composed of names drawn from each of the two proposed resolutions on composition of the board. Seconded.

Singsen spoke to the motion, requesting inclusion of an additional list consisting of the names which the P.A. Subcommittee considered but didn't include in its final list.

Kelsey recommended a balloting process at the March 3rd meeting which would enable TPC members to vote on the list.

The Chair took a voice vote and declared the main motion to be carried.

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The Chair announced that some members of the ELRA Group staff were present to discuss the survey of cable

subscribers and former subscribers. He asked that the matter be deferred until the March 3rd monthly meeting.

The Consumer Services Subcommittee's resolution on the ELRA Group survey was tabled.

The Chair announced that the Policy Committee will present its timeline at the March 3rd meeting.

The Chair announced that the TPC will meet in two days to conduct the rest of its business. The meeting will occur at 4 p.m. on February 5th.

The Committee adjourned at 11:20 a.m.

CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 - TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

December 3, 1985

Roberto Esteves, Chair
Telecommunications Policy Committee
Main Library
Civic Center
San Francisco, CA 94102

Subject: Public Access Management Resolutions

Dear Roberto::

The TPC unanimously passed two resolutions on the subject of public access management at its December 2nd meeting. The resolutions were as follows.

Resolution #1

Be it resolved that the Telecommunications Policy Committee will support in principle the following goals for the future of public access:

a) Expansion of opportunity for expression of various viewpoints by individuals and organizations; provision of a viable forum for debate, discussion and expression on issues and matters of civic, social, cultural and artistic concern.

b) Implementation of a comprehensive training program for community producers designed to teach and provide the skills required to produce satisfactory programs. Such a program would provide training in television scripting, directing, studio and remote production, and editing.

c) Development of a fundraising mechanism to match grants provided by Viacom and to carry out public access activities supported by the TPC, including a fund for community producers.

d) Development and execution of a publicity and public relations strategy to better inform the community about the services and programming offered by Channel 25.

e) Creation of an internship program to channel students and volunteers into community access productions.

OVER

Resolution #2

Be it resolved that the TPC will support the Friends of Public Access (FPA), a non-profit public access organization, to carry out the activities outlined in Resolution #1, and other activities as directed by the TPC and the Board of Supervisors. The structure and duties of this non-profit organization will be decided by the TPC for recommendation to the Board of Supervisors for approval.

Be it further resolved that the TPC will provide funding for the Friends of Public Access using portions of the grant money obtained from Viacom and a portion of the access development funds (0.2%) as approved by the Board of Supervisors.

Resolutions #3 and #4 (attached) were tabled and did not come to a vote.

Sincerely,

Richard John Hoss
Cable Officer

PUBLIC ACCESS SUBCOMMITTEE RESOLUTION TABLED
ON DECEMBER 2, 1985

RESOLUTION 3

BE IT RESOLVED, the TPC will establish a series of benchmarks to measure the success of FPA. For instance, we would ask FPA to demonstrate its accountability, stability and worthiness of continued TPC support by successfully attaining some of the following types of objectives:

1. Involving a significant number of new community organizations in public access programs each year as producers or participants.

2. Raising at least the Public Access portion of the amount required in fiscal year 1986-1987 and 1987-1988 from non-City Government or Viacom sources, as required to satisfy the 2-1 match agreements with Viacom for grants of $25,000 in those years.

3. Training a significant number of new community volunteers each year.

4. Successful recruitment and placement of student interns into community production projects each year.

5. Increasing the percentage of locally produced programs aired on Channel 25.

BE IT FURTHER RESOLVED, the TPC will support a gradual increase in the responsibilities and activities of FPA if the following conditions are met:

1. Successful achievement of the goals outlined in Resolution 1.

2. Successful achievement of the objectives outlined above in Resolution 3.

3. Clear demonstration of broad-based community support.

4. Demonstration of accountability to the TPC.

5. A willingness on the part of the FPA to take on further responsibilities.

MOTION TABLED ON DECEMBER 2, 1985

RESOLUTION 4

BE IT RESOLVED, the TPC will establish a fifteen member Interim Board of Directors for the PAC to begin work on the legal establishment of the PAC. To convene this Interim Board, the TPC would ask the following elected officials and organizations to make appointments to the Interim Board of the PAC:

(1) Mayor

(1) Board of Supervisors

(1) League of Women Voters

(1) United Way

(1) Foundation for Community Service Cable Television

(1) Bay Area Video Coalition

(1) Media Alliance

(1) Association of Independent Video and Filmakers

(1) San Francisco Foundation

(1) Private Industry Council

(5) Telecommunications Policy Committee

The TPC resolves that the Interim Board must reflect the cultural, ethnic and sexual diversity of the overall population of San Francisco. To provide a measure of certainty for appropriate representation on the Board, the TPC will reserve its five appointments until the other Directors have been appointed. The TPC will evaluate the composition of the Board at that point and make appointments that ensure diversity.

(OVER)

The Interim Board would be created to accomplish the following tasks:

1. Write the By-Laws for the PAC

2. Create the Article of Incorporation

3. Apply for 501 (c) (3) federal tax exempt status

4. Apply for California tax exempt status

5. Initiate membership development

6. Plan a Board selection process

7. Oversee the creation of a permanent Board of Directors. The permanent Board of Directors must also reflect accurately the cultural and ethnic makeup of San Francisco.

RESOLUTION PRESENTED BY PUBLIC
ACCESS SUBCOMMITTEE REPORT --- DISCUSSED ON
FEBRUARY 3, 1986 BUT NOT ADOPTED

Public Access Subcommittee -- Draft Resolution -- January 6, 1986

BE IT RESOLVED, the TPC will establish an ad hoc Board of Convenors to organize and incorporate a non-profit public access corporation (Friends of Public Access or other corporate name to be determined by the Board of Convenors) created expressly to carry out goals as enumerated in TPC's Resolutions #1 and #2 approved at the December 2 TPC meeting.

BE IT FURTHER RESOLVED, the Board of Convenors, to consist of fifteen members, will reflect the cultural, ethnic, age and sexual diversity of the overall population of San Francisco.

FURTHER, the TPC will ask the following group of organizations and governmental leaders to select members of the Board of Convenors:

Mayor

Board of Supervisors

Viacom

League of Women Voters

United Way

Foundation for Community Service Cable Television

Bay Area Video Coalition

San Francisco Central Labor Council

Media Alliance

San Francisco Foundation

City College

Private Industry Council

Each organization will be asked to make one appointment who may be a member or employee of the appointing body or may be anyone else considered to be an appropriate member of this Board of Convenors. The TPC will ask the appointing bodies to give careful consideration to the selection of members with appropriate skills and experiences, including but not limited to fundraising, video production, non-profit organizational development and management. The TPC will also encourage the appointing bodies to select members willing to fully participate in the work of the Board of Convenors.

OVER

FURTHER, The Board of Convenors will be required to prepare a report for submission, first, to the TPC Public Access Subcommittee for review, and, then, to the full TPC, for its review and consideration, no later than September 19, 1986, that provides proposals in the following areas:

1. Goals and objectives to guide the activities of the public access corporation in 1987.

2. Benchmarks to be used by the TPC in its evaluation of the public access corporation's activities during its first year of operation. These benchmarks will be measures of the public access corporation's achievements regarding:

   -- Organizational development, including evidence of a functioning Board of Directors, hiring of staff, responsible management practices and fiscal accountability

   -- Implementation of a fundraising program

   -- Establishment of training program and successful training of community producers

   -- Implementation of a community outreach campaign

   -- Development of a successful internship program

   -- Administration of a community producers' grants fund

3. Detailed budget for the 1987 activities of the public access corporation

4. Outline of plans and budget for 1988 and 1989

The TPC, and its Public Access Subcommittee, will work with the Board of Convenors to develop a mutually acceptable plan and budget for incorporation into the TPC's 1987 Access Development Budget for submission to the Board of Supervisors in December of 1986.

FURTHER, the TPC will make three appointments to the Board of Convenors. These appointments will not be made until the other twelve appointments have been announced. To guide its appointments, the TPC will evaluate the composition of the Board

at that point and make selections that further the goal of diversity.

BE IT FURTHER RESOLVED, the Board of Convenors will complete the following tasks required for incorporation:

1. Write the By-Laws for the public access corporation

2. Create the Article of Incorporation

3. Apply for 501 (c) (3) federal tax exempt status

4. Apply for California tax exempt status

5. Develop an appropriate mechanism for the establishment of the first Board of Directors, and for the selection of subsequent Boards of Directors. This mechanism must ensure representation on the Board of Directors of members that reflect the full cultural, ethnic, age and sexual diversity of the overall population. Moreover, the Board of Directors must include representatives of non-profit community organizations and public access users and producers.

The Telecommunications Policy Committee's next monthly meeting will be held at 10 a.m. on February 3rd at 1182 Market Street. Please attend if you are interested.

Persons interested in receiving regular written notice of monthly meeting may make written requests addressed to the TPC at 1182 Market Street, San Francisco, CA 94102. If you request regular notice of meetings, please specify the kind of meeting you are interested in (e.g. monthly meetings only; Public Access Subcommittee; and the like).

ABRAMS' SUBSTITUTE MOTION #3 IN ITS ORIGINAL FORM
SUBSEQUENT AMENDMENTS CHANGED THE CONTENT

RESOLUTION 3

BE IT RESOLVED, that the TPC will establish benchmarks to measure the success of the Friends of P E G:

The benchmarks are:

1. Raise $25,000 from the community by July 1, 1987 to match Viacom's Access grant. Raise an additional $15,000 for financial assistance for community producers by December 31, 1987.

2. Report to the TPC on a quarterly basis and undertake no programmatic or policy activities without the specific approval of the TPC.

3. Develop guidelines for the financial assistance for community production and distribute such assistance in a fair and equitable manner that reflects the cultural, sexual, ethnic, religious and age diversity of the overall population of the City and County of San Francisco.

4. Serve as a fiscal agent for all P E G access monies.

5. Establish a permanent board that can successfully accomplish goals one through three, and that meets the approval of the TPC.

BE IT FURTHER RESOLVED, that the TPC will evaluate the success of the Friends of P E G in light of the above benchmarks in January 1988 with the possibility of expanding the role and responsibilities of the Friends of P E G if such goals have been met.

CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 • TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

RESOLUTION 3

Approved by the TPC February 3, 1986
To Be Reconsidered After the February 6 Hearing
of the Board of Supervisors'
Culture and Recreation Committee

BE IT RESOLVED, that the TPC will establish benchmarks to measure the success of the Friends of Access:

The benchmarks for TPC review are:

1. Raise $25,000 from the community by July 1, 1987 to match Viacom's Access grant. Raise an additional $15,000 for financial assistance for community producers by December 31, 1987.

2. Interim Board is to report to the TPC on a quarterly basis.

3. Interim Board is to undertake no programmatic or policy activities without the specific approval of the TPC, except for internal operational policy.

4. Develop guidelines for the financial assistance for community production and distribute such assistance in a fair and equitable manner that reflects the cultural, sexual, ethnic, religious, and age diversity of the overall population of the City and County of San Francisco.

5. Serve as a fiscal agent for access monies.

6. Develop guidelines for implementation of a vigorous training program.

7. Establish a permanent board that can successfully accomplish goals one through three, and that meets the approval of the TPC.

BE IT FURTHER RESOLVED, that the TPC will evaluate the success of the Friends of Access in light of the above benchmarks in January 1988 with the possibility of expanding the role and responsibilities of the Friends of Access if the benchmarks set forth in points one through six above have been met.

ABRAMS' SUBSTITUTE MOTION #4 -- DISCUSSED ON FEBRUARY 3rd BUT NOT ADOPTED

RESOLUTION 4

BE IT RESOLVED, that the TPC will establish a seventeen member Interim Board of Directors for Friends of P E G to begin work on the legal establishment of the non-profit organization. To convene this Interim Board, the TPC would ask the following elected officials and organizations to make appointments to the Interim Board of the Friends of P E G:

(1) Mayor
(1) Board of Supervisors
(5) TPC
(1) Foundation for Community Service Cable Television
(1) Chamber of Commerce
(1) Bay Area Council
(1) Levi Strauss Foundation
(1) McKesson Foundation
(1) Koret Foundation
(1) San Francisco Foundation
(1) First Interstate Bank Foundation
(1) Chevron Foundation
(1) Viacom Cablevision

BE IT FURTHER RESOLVED, that the Interim Board must reflect the cultural, ethnic and sexual diversity of the overall population of San Francisco. To provide a measure of certainty for appropriate representation on the Board, the TPC will reserve its five appointments until other Directors have been appointed. The TPC will evaluate the composition of the Board at that point and make appointments that ensure diversity.

NON-PROFIT ACCESS ORGANIZATION SURVEY
Conducted by C. Brand and A. Torrice
January 30,1986

Contact:	MIKE JOHNSON
Non-Profit Access Organization:	NORTHWEST COMMUNITY TELEVISION 6901 Winnetka Ave. North Brooklyn Park, Minnesota 55428

Communities served: Nine northwestern suburbs of Minneapolis: Osseo, Brooklyn Park, Brooklyn Center, Robinsdale, Crystal, New Hope, Maple Grove, Plymouth, and Golden Valley.

Population:	Over 80,000 homes passed
Cable Operator:	CABLE TELEVISION NORTHWEST (HAUSER COMMUNICATIONS)
Number of subscribers:	33,000

1. How does the cable operator relate to
a) Commission?

"Through lawyers mainly. They negotiate formally. Nine governments formed a Joint Powers Agreement three or four years ago. There are two Commissions. The cable operator does not have a seat on either. They are:

1) The Cable Commission which oversees the franchise and rates. The cable operator does attend meetings, as the Commission's business is their main concern, and reports to them.

2) The Northwest Community Television Commission, with representatives from government, the public, and education. The cable operator attends these meetings, but not as much."

b) Cable Citizens' Advisory Board?

"There is none."

c) Non-Profit Access Organization?

"Northwest Community Television reports to the Cable Commission. The operator works more with the Commission."

2. How does the local government control content of their programs?

"Of the nine cities, each city has its own channel, which is narrowcast to their own community. There are no rules set aside on what they can or cannot play, except for advertising and lotteries. They have total control. We provide matching grants and production staff. Three of the nine have elected to put their city councils over the cable, and they do have their own production staff."

3. How are public programmers protected from government control over content?

"There are three basic guidelines on 1) obscenity, 2) advertising, and 3) lotteries. Of three years in operation, there's only been one questionable instance - profanity."

4. How are the following represented on the Board of Directors of the Non-Profit -
a) the public?

"Through elected members. NW Community Television holds an election for the public. Most candidates are certified members of the non-profit."

b) local government?

"There are two government representatives, one from community development, and one from parks and recreation. The other cities are on either one or the other commission."

c) education?

"There are three representatives, two from higher education, and one from the school district."

5. How is programming funded?
a) for public?

"All three are funded solely through the 5% franchise fee received by the non-profit from the cable company."

b) for government?

"Same."

c) for education?

"Same."

6. How is time allocated, especially for live programming?
a) for the facility?

"There are four studios, on a first-come, first-serve basis. We schedule in two-hour increments. All nine cities are wired for council meeting coverage, but only three have elected to do so. All of the cities got their own production equipment, about $15,000-20,000 worth, essentially two cameras, a switcher, and an audio mixer. Northwest Community TV has about twenty to twenty-five portapaks available for checkout, so equipment's not a problem."

b) for channel time?

"We have 16 channels, so live programming's not an issue. Prime time can get a little scarce."

7. Who owns the equipment? Does the public use equipment owned by the government or educational users?

"Northwest Community Television owns the studio equipment. The School District and the governments have their own, which the public does not use."

8. Does the NPO administer a grants program?

"We do matching grants for cities. We used to do programming grants of about $5,000, but that didn't work out well, because the programs didn't come through as promised."

9. Who does the Non-Profit report to?
"The Commission only."

10. How are City interdepartmental, non-public programs produced?
"Through the staff the city hired, or NW Community TV staff. If the cities request it, we do it. We're not paid for it."

11. Do you use a channel for any data communications?
"No. We have a character generator, but that's all."

12. Does staff produce programming or do they only administer programs?
"Yes, mostly public - sporting events and that kind of thing."

Note: They're building their own studio from the ground up.

NON-PROFIT ACCESS ORGANIZATION SURVEY

Contact:	GAIL COPEN
Non-Profit Access Organization:	CENTER FOR COMMUNITY ACCESS TELEVISION OF AMHERST, INC.
Communities served:	Amherst, Massachusetts
Population:	16,000
Cable Operator:	Times-Mirror
Number of Subscribers:	5,680

1. How does the cable operator relate to
a) Commission?
"There is none."

b) Cable Citizens' Advisory Board?
"The Board of the non-profit is an advisory board to the City Council."

c) Non-Profit Access Organization?
"The non-profit is written into the franchise as the 'access provider.' The cable operator provides the channel, equipment, and some money for operations."

2. How does the local government control content of their programs?
"Each individual producer controls content. We loosely follow equal time rules. The government does not 'control' programs. The non-profit produces many government shows, all hearings and meetings."

3. How are public programmers protected from government control over content?
"There's nothing written. No policy as such exists other than that producers control content."

4. How are the following represented on the Board of Directors of the Non-Profit -
a) the public?
"The Board is self-elected and has nine members. The Charter suggests that the Board be comprised to 'represent the community.' The basic and most important criteria is that 'they want to work.'"

b) local government?

c) education?
"Four Board seats are taken by 'educational access' representatives."

5. How is programming funded?
a) for public?
"Programs are funded by individual producers. The cable company provides the equipment for all public, educational, and governmental users. The non-profit provides staff."

b) for government?
"There is one part-time government staff person hired to provide technical support on all government productions."

c) for education?
"By the educational agency."

6. How is time allocated, especially for live programming?
a) for the facility?
"Three nights a week. The town meeting is cablecast live ten times a year, and it's the only show that's cablecast live. The director of the non-profit makes all scheduling decisions., based on a first-come, first-serve basis."

b) for channel time?
"Same as for the facility."

7. Who owns the equipment? Does the public use equipment owned by the government or educational users?
"The cable company owns all equipment. At the end of five years, the City owns the equipment, not the non-profit."

8. Does the NPO administer a grants program?
"No."

9. Who does the Non-Profit report to?
"The Board of Directors report directly to the City Council once a year."

10. How are City interdepartmental, non-public programs produced?
"There's no specific example, however, the non-profit staff treat city government agencies the same as other users. The City departments do not own any equipment."

11. Do you use a channel for any data communications?
"No."

12. Does staff produce programming or do they only administer programs?
"Yes, they produce and administer programs. Decisions about the selection of programs are based on the Board of Directors approval. They see it as a 'community service.'"

Note: Date of Incorporation 1976.

NON-PROFIT ACCESS ORGANIZATION SURVEY

Contact:	SHARON INGRAHAM
Non-Profit Access Organization:	SHARON COUNTY TELEVISION INC. SHARON, MASSACHUSETTS
Communities served:	Sharon, Massachusetts
Population:	14,000
Cable Operator:	Cablevision Industries (Massachusetts Cablevision Systems)
Number of Subscribers:	2,900

1. How does the cable operator relate to
a) Commission?
"There is no Commission."

b) Cable Citizens' Advisory Board?
"The franchise agreement calls for a non-profit to be set up. It gets all of the 5% franchise fee. The non-profit is the cable advisory board. It's considered an auxillary government agency."

c) Non-Profit Access Organization?
"The cable operator and the non-profit negotiate on access matters."

2. How does the local government control content of their programs?
"The government does not control programs, the non-profit does. We tape all government productions."

3. How are public programmers protected from government control over content?
"It's illegal. There's separate channel use. The corporation has a set of codes, following FCC guidelines."

4. How are the following represented on the Board of Directors of the Non-Profit -
a) the public?
"It's not set up to reflect each type of group you mentioned. The subscribers are members of the Non-profit, and they elect the Board. There are rotating terms. Special interest groups are not represented on the Board."

b) local government?
See above.

c) education?
See above.

5. How is programming funded?
a) for public?

"The cable company owns the equipment and it is available to any user for free. The programs are not funded, other than the non-profit providing staff and technical support. Public access programmers predominate. There is a part-time staff person for public access to tape all educational and municipal programs along with volunteers. One program is specifically for government issues. The amount of staff time used on a project is determined by need and request.

b) for government?

See above.

c) for education?

See above.

6. How is time allocated, especially for live programming?

a) for the facility?

"There's no allocation. There are seven channels, one public, 1 educational, and 1 governmental plus others."

b) for channel time?

"Users request time. It hasn't been a problem."

7. Who owns the equipment? Does the public use equipment owned by the government or educational users?

"The cable company owns the equipment. The non-profit will be providing our own equipment eventually. The cable company lets the non-profit write our operating rules. The school system will eventually be given their own equipment from the cable company, and the company will own it for tax depreciation reasons. School equipment will be made available to the public during summer months. Schools can use the non-profit equipment until they get their own equipment."

8. Does the NPO administer a grants program?

"Yes. Up to $500 to any governmental, educational, or public user. The money is to offset production costs, not to pay people's salaries."

9. Who does the Non-Profit report to?

"No one, since they get the 5% directly from the cable company. We don't ever disclose our budget to the City unless it's requested."

10. How are City interdepartmental, non-public programs produced?

"They're not yet being produced. It's too soon."

11. Do you use a channel for any data communications?

"No."

12. Does staff produce programming or do they only administer programs?

"No, only administer."

Note: Annual $50,000 operating budget. Date of Incorporation 1982. The cable system is two years old.

NON-PROFIT ACCESS ORGANIZATION SURVEY

Contact: JOAN BURKE
Non-Profit Access Organization: KALAMAZOO COMMUNITY ACCESS

Communities served: City of Kalamazoo, Township of Kalamazoo, Parchment, Comstock, Oshtemo

Population: Over 80,000
Cable Operator: Fetzer Cablevision

Number of Subscribers: 32,000

1. How does the cable operator relate to
a) Commission?
"There is none. There's an overseeing contract with a City department."

b) Cable Citizens' Advisory Board?
"There's no citizen involvement."

c) Non-Profit Access Organization?
"There's a non-voting ex officio representative of the cable company, the Vice President for Special Projects, on the Board of the non-profit. The Board is appointed by five City Councils based on the number of subscribers each community has. There are nine Board members."

2. How does the local government control content of their programs?
"We contract with the cities on the approval of the City Council to tape City/County Commission meetings. They don't control their programs. There's a corporate grant to underwrite. There are guidelines, but the non-profit keeps artistic control. The script and product is finally approved by the City Manager's office and the department involved."

3. How are public programmers protected from government control over content?
"There's no opportunity for control."

4. How are the following represented on the Board of Directors of the Non-Profit -
a) the public?
"There's no one really designated. The bylaws say that the Board will 'be reflective of the community.' The non-profit makes recommendations."

b) local government?
"They usually do appoint one elected City official. There's an ex officio member of the City of Kalamazoo City Manager's office."

c) education?

"The Media Director of the Intermediate School District is an appointment which represents all the schools."

5. How is programming funded?

a) for public?

"There's a variety of funding sources. The base is the 2% consent fee (franchise fee) which each of five communities passes on to the non-profit. We generate funds through workshops, dubs, fundraising telethons, corporate grants, a generous local foundation grant for capital, government funding for programming, some outside work for non-profit groups. With the last we have to be careful of competing with the commercial rental houses. We're now mounting our first large corporate fundraising campiagn."

b) for government?

"Through the general fund. We make sure the governments realize that they're collecting 3% from the cable company. The non-profit makes a recommendation for a program, which is approved by the City Manager's office and the City Council. We're doing a monthly series called "Talk with the City" in 1986, and we do about fifteen programs a year of the short or PSA type."

c) for education?

"That's really our weakest link. They have to come up with their own funding. The religious schools also have equal access."

6. How is time allocated, especially for live programming?

a) for the facility?

"We convinced the City to buy their own equipment which stays in City Hall. The non-profit can use it for back-up, but we really haven't yet."

b) for channel time?

"The live programming does pre-empt taped programming. Everything's on a first-come, first-serve basis."

7. Who owns the equipment? Does the public use equipment owned by the government or educational users?

"The City owns the City Hall equipment. The non-profit owns everything at our facilities."

8. Does the NPO administer a grants program?

"No."

9. Who does the Non-Profit report to?

"The government entities that appoint them. There's a financial audit each year. There are three-year terms."

10. How are City interdepartmental, non-public programs produced?

"With City money. There are training tapes for personnel, shown on VCRs, and one program on cable."

11. Do you use a channel for any data communications?

"Not currently. The non-profit is in the franchise for the City of Kalamazoo to administer 4MHz reserved for City transmission of data. We look at it every year and don't know what to do about it."

12. Does staff produce programming or do they only administer programs?

"They produce the government programs. We facilitate a great deal, and in some instances, such as the Kalamazoo Symphony, we produce. We do a pilot and work with an organization."

Notes: They opened in March of 1983 as a Division of Kalamazoo, Michigan. In January 1985 they became a non-profit.

Joan Burke: "It's a strong access program. We produce 90 hours/week over three channels."

For education, they reserve time slots for telecourses on the same time and same channel.

The Kalamazoo, Michigan non-profit is also described inthe NATOA report Part I by C. Brand.

CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 · TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

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MINUTES OF THE MEETING OF FEBRUARY 5, 1986

CALL TO ORDER AND ROLL CALL

The Chair (Esteves) called the meeting to order at 4:00 p.m. at the Committee's office at 1182 Market Street.

Members present: Roberto Esteves, George Kelsey, Hal Layer, Sue Levitin, Emily Pike, and Michael Singsen

Members absent Rhonda Abrams, Gwen Dilworth-Battle, Cary Fong

Staff: Connie Brand, Dick Hoss and Andrea Torrice

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The meeting was a continuation of the February 3rd monthly meeting which was devoted entirely to discussion of the formation of a non-profit access organization. The January minutes were presented on February 3rd and were deferred for approval at the March 3rd meeting.

THE EXECUTIVE COMMITEE REPORT

The Chair (Esteves) reported that the TPC's five applicants for reappointment were approved at the Rules Committee hearing on January 28th. Abrams, Esteves, Fong, Kelsey, and Singsen were appointed to terms which expire on January 31, 1988.

Esteves report on the Executive Committee meeting of January 22nd.

The TPC's Budget Request -- General Funds

Esteves reported that the Clerk of the Board added $2,500 to the TPC budget to pay for a work order for the services of the City's Real Estate Department.

This action boosts the TPC's request to $100,260. Esteves noted that the higher sum violates the TPC's tradition of asking for less than $100,000; and almost converts the TPC's budget into an increased funding level instead of the decreased level of spending approved by the TPC on January 6th.

Esteves reported that the Executive Committee recommends reducing the survey request by $1,000; a drop from $25,000 to $24,000.

MOTION: The TPC approves the reduction of the TPC budget request by an amount of $1,000 and places the reduction in the professional services category by reducing the request for survey money by $1,000. Seconded and carried.

Esteves reminded the Committee that it had approved the budget request at its January 3rd meeting subject to further explanation of some of the items requested. He said that Hoss explained the travel, membership dues and subscriber survey requests to the Executive Committee's satisfaction.

MOTION: The Executive Committee approves submission of a budget request in the amount of $99,260 and instructs staff to forward the request to the Rules Committee. Seconded and carried.

Esteves reported that the Executive Committee directed staff not to spend general fund membership dues money on a membership which was solely of interest to the public access project. This is in keeping the the TPC's policy of not commingling funds.

Strand Maps for Mr. Aubrey Harris

The Executive Committee discussed the signal testing contract at its January 22nd meeting. Esteves said that Hoss reported that Mr. Aubrey Harris requested a set of strand maps for use by himself in designing the signal testing profile and for use by the signal testing contractor.

The Committee agreed that the TPC is not one of the three agencies named in the franchise as recipients of strand maps. A discussion ensued as to whether Viacom should charge for the maps. Hoss reported that Mr. Harris' contract covers his labor only.

MOTION: The TPC directs Hoss to ascertain the availability of strand maps from other City departments. Seconded and carried.

Consultants' Contracts

Esteves noted that the Board's approval of the $114, 963 access development budget on December 16th included the consultant contracts with Brand and Torrice.

MOTION: The contractors' salaries shall be equal to the amounts approved by the Board of Supervisors on December 16, 1985; and are to take effect on January 1, 1986. Seconded and carried.

Singsen commented that formation of the n.p.o. raises some complexity in writing Torrice's new contract.

Esteves said that he will refer job descriptions and contracts to the TPC's March 3rd meeting.

A discussion ensued.

MOTION: The TPC refers the matter of consultants' contracts and job descriptions to the next Executive Committee meeting. Seconded and carried.

The Staff Workload

Esteves reminded the Committee that the annual report is due. This comment lead to a discussion of staff workload and the demands placed on the one computer.

Hoss gave a detailed report of the TPC's schedule of public hearings; reports due and other events impending this spring.

Formation of the proposed non-profit access corporation was described as a commitment of TPC time and equipment. Hoss described the amount of work involved in issuing the public notice which the TPC likes to provide. The franchise window was noted as a major commitment of staff time.

Election of Officers

The Chair asked the Committee if the nominations made on January 3rd remain in effect.

George Kelsey, who was nominated for vice chair, withdrew in favor of asking for a seat on the Policy Committee. Hal Layer also withdrew as a nominee, leaving Esteves as the only candidate for vice chair.

The nominees, carried over from January 3rd, their ranks narrowed by withdrawal, were: Pike for Chair, Esteves for Vice Chair and Fong for Treasurer.

MOTION: The TPC closes nominations for the three chair officers. Seconded and carried.

The slate was then elected by acclamation. Esteves turned the gavel over to Pike who thanked the Committee for electing her. Pike chaired the remainder of the meeting.

CONSUMER SERVICES AND ASCERTAINMENT SUBCOMMITTEE

Layer and Levitin, co-chairs reported that, on January 24th, the Subcommittee adopted a resolution which approved passing the ELRA Group report on to the full TPC.

Esteves noted that the ELRA Group staff came to the February 3rd meeting but that that meeting was entirely devoted to a discussion of the non-profit. Esteves invited the ELRA staff to attend the March 3rd meeting. Hoss reported that the ELRA Group is not available at that time.

Esteves asked that the subscriber survey report be tabled until such time as the ELRA Group can appear.

A discussion of the cable subscriber survey report ensued. Singsen described an extensive number of items which, in his opinion, require further analysis.

Geographical breakdowns and use of zip code breakouts were discussed; and also the handling of "verbatim" responses.

A discussion ensued as to whether the TPC can ask for more analysis. Hoss reported that he had paid ELRA in full because much of its work was subcontracted. Hoss said that, in his opinion, the contract requires more analysis than has been provided and that the TPC can ask for completion of the work.

Singsen concluded by saying that he will type his additional questions and pass them on to the ELRA Group.

The co-chairs reported that the Consumer Services Subcommittee adopted a resolution asking that the TPC accept the Harris report and Viacom Cablevision's response to it as accomplished reporting.

Singsen asked if the Harris report and the Viacom Cablevision response are represented as being of equal status. He likened the Aubrey Harris report to the ELRA Group survey -- a commissioned report which eventually becomes a TPC document. Singsen said that, in his opinion, a Viacom report is simply that and does not acquire the status of a report which is contracted for and approved.

Levitin replied that the Subcommittee forwarded the Viacom Cablevision response as accomplished reporting. She referred to the Harvey Rose Corporation's practice of included responses to its findings when it transmits its audit reports.

The TPC's January 6th resolution was re-read.

MOTION: The TPC requests Viacom Cablevision to respond to the Harris report by January 15th. Seconded and carried.

A discussion of the Channel 25 study was resumed.

MOTION: The TPC accepts the Aubrey Harris report on Channel 25 and Viacom Cablevision's response as accomplished work. Seconded and carried (Reports attached).

The Chair announced that the Channel 25 study is now on the table. She set a ten minute limit to discussion.

Singsen asked Levitin if Viacom Cablevision's position is that the Harris report is useless.

Levitin responded that Viacom Cablevision is concerned with Mr. Harris' methodology.

An extended discussion ensued about the condition of Channel 25's cameras with many critical remarks being made about the long duration of the problem and the TPC's embarrassment at its inability to bring about improvements.

Levitin responded by describing Viacom Cablevision plans for 1986 which include reconfiguration of the control room; assessing the performance of equipment to determine which items should be replaced; and inauguration of an internship program.

Kelsey offered to play a videotape which demonstrated the color quality of Channel 25 cablecasting. The Chair asked Kelsey to wait until extension-of-time was discussed.

Singsen offered the following motion:

Whereas, the TPC and the Public Access Subcommittee have received many complaints by Channel 25 users; and

Whereas, the Aubrey Harris report has identified cameras as presenting problems of quality cablecasting; and

Whereas, Viacom Cablevision reports that returning the cameras to the factory has not had the desired result; and

Whereas, two TPC members have observed the quality problem to be on-going, persistent and detrimental; now therefore be it

Resolved that the TPC respectfully request that Viacom Cablevision provide the TPC with a schedule for repair of all five cameras to the manufacturers' specifications; or replace the cameras if a schedule cannot be provided. The TPC requests Viacom Cablevision to report back in fourteen days. Seconded by Kelsey.

A discussion ensued as to whether the TPC can direct Viacom Cablevision to do something. The requests for editing equipment and for air conditioning were presented as examples of TPC requests.

Levitin reported that Viacom Cablevision's position since the inception of the TPC has been that the Board of Supervisors can require Viacom to do things but that the TPC has no such authority.

The discussion shifted to the reasonableness of a fourteen day response time. Thirty days was suggested.

MOTION: The TPC requests Viacom Cablevision to report back at the March 3rd monthly meeting. Seconded and carried.

Members voting for the motion were: Kelsey, Layer, and Esteves Michael Singsen voted for the motion.

Members voting against the motion were: Levitin and Pike.

THE POLICY COMMITTEE REPORT AND THE FRANCHISE NEGOTIATING WINDOW

The Chair noted that the Policy Committee Chair was absent but that the Committee's January 22nd minutes were in the members' meeting files (minutes attached).

Singsen questioned the Policy Committee's conclusion that it will hold one public hearing divided into sections and use an item list; and that public input received at Policy Committee hearings will not be replayed at the full TPC level.

Singsen said that he is on the Policy Committee and that he understanding is that the TPC will conduct the hearing.

Levitin, the only other Policy Committee member present, reported that she understood the Policy Committee to be recommending a Policy Committee hearing rather than a TPC hearing; and that the intent was to bring the TPC as uncomplicated a negotiating document as possible.

MOTION: The TPC extends the adjournment time until 6:15 p.m. Seconded and carried.

Singsen expressed misgivings about the Policy Committee being the negotiating team; and said that, in his opinion, Viacom Cablevision's representation on the Committee presents a potential for conflict of interest in cases of a closely divided vote. He noted that the franchise gives Viacom Cablevision a seat on the TPC but that the TPC mandate is to establish a citizens' committee which will negotiate with Viacom.

Kelsey took up the Policy Committee's recommendation that it be the recipient of Viacom's franchise revision ideas and receive and consider Viacom's proposed amendments.

Kelsey disapproved of the Policy Committee being the TPC's negotiating committee and alluded to the possibility of Viacom having the swing vote. He recommended that the Committee-of-the-Whole be the negotiating team.

Kelsey turned to the proposed timeline which provides that a public hearing will be held in late May or early June; that Policy Committee recommendations will be forwarded to the full TPC in August; that the TPC will be asked to calendar the franchise revision package for August or September; and that the TPC will forward its recommendations to the Board of Supervisors and ask for a Culture and Recreation Committee hearing in mid-November.

Kelsey took exception to the mid-November date proposed for hearings by the Board of Supervisors because of its proximity to the year's end.

He proposed a negotiating team comprised of committee chairs.

Esteves rejected the notion that the Committee-of-the-Whole be designated as the negotiating team. He said that he viewed the Policy Committee as a group that is to synthesize franchise revision ideas; and as the committee which would compile proposals for revision. Esteves did not view the Policy Committee as being the negotiating team.

Levitin expressed the notion that the Policy Committee could support that view of its mandate; that the Committee's concern was presenting the TPC with a well-defined package.

A short discussion ensued about the Policy Committee's scope.

MOTION: The TPC designates the Policy Committee as the proper body for codifying franchise revision proposals; and will refer to it, during the window period, as the Codifying Committee Seconded and carried.

The Chair announced that, in view of the time, that further discussion of the franchise window will be deferred until the March 3rd meeting.

THE COMMITTEE ON CULTURE AND RECREATION MEETING SCHEDULED FOR FEBRUARY 6th

Esteves noted that the hearing is to consider use of a reserve of $9,440 in access development funds ($6,000 for workshops and $3,440 for community producers' grants); and also to consider the status of the TPC's plans for creation of a non-profit access organization.

Singsen described the Harvey Rose Corporation recommendation that consideration of the $9,440 reserve be deferred until such time as the Board approves final plans for the development of an access organization.

Esteves was appointed to present the TPC's point of view. He said that he will present four resolutions on February 6th (the next day).

The resolution calling for appointment of a seventeen member interim board was the only resolution to receive the TPC's attention.

Esteves said that the proposal for creation of the board will not have a timetable.

The Committee agreed that Esteves will present the four motions.

In resolution #4, two of the organizations on Abrams' original list will be deleted.

The Committee adjourned at 6:15 p.m.

TELECOMMUNICATIONS POLICY COMMITTEE

March 3, 1986

The Minutes of this meeting are not available.

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CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 · TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

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MINUTES OF THE MEETING OF APRIL 17, 1986

CALL TO ORDER AND ROLL CALL

The Chair (Pike) called the meeting to order at 3:00 p.m. at the Committee's office at 1182 Market Street.

Members present: Gwen Dilworth-Battle, Roberto Esteves, George Kelsey, Hal Layer, Sue Levitin, Emily Pike and Michael Singsen

Members absent: Rhonda Abrams, and Cary Fong

Staff: Dick Hoss and contractors Connie Brand and Andrea Torrice

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The agenda, as proposed, was adopted.

The monthly meeting minutes of the March 3rd were approved as written.

CONSUMER SERVICES AND ASCERTAINMENT SUBCOMMITTEE

Dr. Robert LaRose, Vice President for Research, of the East Lansing Research Associates (ELRA) Group made a report on the survey of 300 cable subscribers and 200 former subscribers which was completed in December.

LaRose gave an overview of the survey results and answered questions from Committee members.

The discussion included problems which surfaced when the questionnaire, which was developed by the Survey Research Center at UC Berkeley, was presented to 500 residents; and included routing problems which arose.

Discussion included a six page memorandum, dated January 8, 1986, in which the ELRA Group made detailed comments about the questionnaire.

Members agreed that the questionnaire did not probe enough at critical junctures.

Viewership of the public access station was discussed. LaRose reported that Channel 25 may have a lower rating than public access stations nationally because systems with a small number of channels may have a relatively high viewership because of a dirth of other channels on the system.

MOTION: The TPC accepts the ELRA Group's report on the results of a survey of San Francisco residents concerning their attitude toward the delivery of cable television service. Seconded and carried.

The Chair thanked Dr. LaRose for his presentation.

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Members then discussed the practicality of contracting with the ELRA Group to refine the questionnaire and bring it into conformity with ELRA's national cablemark probe questionnaire.

A division of opinion developed as to the value of contracting for questionnaire revision prior to a determination of whether further surveys will provide information significant enough justify the cost of obtaining it.

MOTION: The TPC directs its staff to obtain a cost quotation for the work involved in refining the questionnaire. Seconded and carried.

PUBLIC ACCESS SUBCOMMITTEE REPORT

Singsen (Chair) distributed a document, dated March 31, 1986 and entitled: "A Proposal to Create a Non-Profit Public Access Corporation."

MOTION: The TPC accepts the report as written and transmits it to the Board of Supervisors as the TPC's position. Singsen made the motion which was seconded by Kelsey.

The Chair asked for comment on the motion.

A number of friendly amendments were offered and accepted. The amendments included setting the duration of the time served by the Board of Convenors at six months; clarifying that the funding of access development includes educational and municipal access as well as public access; an understanding that access funds will be appropriated in reasonably balanced proportions among the PEG users; clarifying that the Corporation is to raise funds for public access as such.

Language which would have provided that the TPC's discussions with Viacom Cablevision about additional sources of revenue for the n.p.c. would include a voluntary monthly subscriber contribution, a surcharge of 10¢ per month be paid to Viacom Cablevision and passed on directly to the n.p.c., and access to Viacom Cablevision's billing package to solicit contributions from subscribers was removed from the draft.

The corporation's accountability to the TPC was amended to be contingent on execution of its tasks in a "demonstrably" responsible and competent manner.

Benchmarks for the corporation's performance were amended to include provision that future benchmarks will be determined by the two parties in a manner similar to the benchmark process in the first year.

The corporation's duty to meet with the TPC on a quarterly basis was amended to required that the corporation "report" to the TPC on a quarterly basis.

The TPC agreed that the access corporation will make its annual report and 1988 budget request in September of 1987.

An Ad Hoc Producers Group was added to the list of media organizations which will comprise the group of nominators.

Members expressed concerns about at-large seats on the Board of Convenors. An agreement ensued that the report will be amended to include selection of at-large members of the Board of Convenors as one of the purposes of the Board.

The need for broadly based representation on the Board was addressed. The report was amended to provide that the TPC "will strive" to have the Board's membership reflect the cultural, ethnic, neighborhood, age and sexual diversity of the City's overall population.

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A discussion ensued as to what debate had occurred at the subcommittee level. Singsen reported that there was substantial consensus on the proposal as written and that each item had been debated at the subcommittee level.

The Chair then asked if any other friendly amendments were to be offered; and hearing none, announced that it was time to proceed with the motion to approve the report.

Levitin raised the issue of whether the report was submitted pursuant to a resolution by the Board of Supervisors' Committee on Culture and Recreation. She stated her recollection that Supervisor Ward, Chair of the Committee, had directed the TPC to make the report but that the Committee on Culture and Recreation had not voted on the matter.

MOTION: The main motion authorizing transmittal of the non-profit access corporation plan shall be amended to include the statement that the report is submitted at the direction of Supervisor Ward, Chair of the Committee on Culture and Recreation. Levitin made the motion which was seconded by Pike.

The Chair asked for discussion of the proposed amendment.

Singsen described the Culture and Recreation Committee meeting as concluding with a discussion between Supervisors Kennedy and Ward in which they agreed in front of the audience to direct the TPC to bring back a full-blown access corporation proposal.

The motion to amend was rephrased to read as follows.

MOTION: The main motion authorizing transmittal of the non-profit access corporation plan to the Board of Supervisors shall include the statement that the report is submitted at the direction of Supervisor Ward, Chair of the Committee on Culture and Recreation, and of Supervisor Kennedy, a member of the Committee.

The monthly meeting minutes and the letter of transmittal shall also include this statement. Seconded and carried.

The motion passed on a voice vote with Singsen requesting that he be reported as voting against the amendment.

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Singsen referred to the earlier question about the degree of support which the report had received at the subcommittee level. He requested that the TPC hear from advisory members of the subcommittee who were in attendance at this meeting.

James Anthony, Ron Bermudez, Marshall Ebright, Julia Miller, Oscar Maciel, Linda Pulver, and Mike Spain expressed support for the report. Some of the speakers engaged the TPC in a discussion of details of the report.

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The Chair thanked the speakers for coming to the meeting, and then asked for action on the motion as amended.

MOTION: The TPC approves the "Proposal to Create a Non-Profit Public Access Corporation" report as revised by friendly amendments; and authorizes its transmittal to the Board of Supervisors as the TPC's position.

This motion, the monthly meeting minutes and the letter of transmittal shall include the statement that the report is submitted at the direction of Supervisor Ward, Chair of the Committee on Culture and Recreation, and of Supervisor Kennedy, a member of the Committee.

The TPC staff is directed to attach the report, as revised by friendly amendments, to the minutes of this meeting. Seconded and carried.

The motion passed on a voice vote with Levitin asking that the minutes record her as abstaining from the vote; and including her statement that Viacom Cablevision supports the formation of a broadly based non-profit access corporation to assist access development in various ways.

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THE EXECUTIVE COMMITTEE REPORT

The Chair (Pike) reported on actions taken at the Executive Committee meeting on April 16th.

MOTION: The Executive Committee directs the staff to prepare a single draft document of the 1985 annual report for submission solely to the Executive Committee for review and authorization.

The final report will be presented to the full TPC for a motion approving transmittal. Seconded and carried by the Executive Committee.

MOTION: Dick Hoss is authorized to attend the California Cable Television Conference in Sacramento on April 28-30th. Seconded and carried by the Executive Committee.

The TPC then proceeded to adopt the two resolutions.

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Pike then reported on the following actions.

The Executive Committee recommends that the TPC hold a single-day retreat; preferably in June and on a Saturday. Retreat dates are tied to the availability of Kathleen Schuler.

The Executive Committee was informed by the staff that the Management Audit Report will not be issued this week as anticipated.

THE VIACOM CABLEVISION REPORT

Sue Levitin commenced with a construction report.

Western Addition Area I construction work is completed. The area extends from Laguna to Broderick Street and from Fell to Fulton Street.

Marketing materials will be distributed in the area within the next few weeks. Some multiple dwellings in the area have been wired and are awaiting transmission of signal.

Western Addition Area II construction is almost completed. The area extends from Laguna to Broderick Street and from Fulton to Geary Blvd. Viacom Cablevision will perform "proof of completion" work within the next few weeks and then a marketing campaign will begin.

On Divisadero Street, the City has refused to issue street cutting permits between Fell and Geary, because the area, approximately six blocks, is under a street opening moratorium until July of 1988.

Viacom Cablevision reapplied, proposing a construction method of boring underneath the sidewalks but was denied permission to proceed.

In the Upper Fillmore Area, Viacom Cablevision has applied for street opening permits and expects to receive approval in about three weeks.

In the Bayview Area, strand and cable work has been completed. Transmission should be turned on in about 30 days; and, two weeks later, the area will be ready for marketing.

The St. Mary's Woods Area is being turned on; and marketing will commence in two weeks.

In the Diamond Heights area, homes are being wired.

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A discussion of the availability of quarterly reports of specially referred complaints ensued.

The Committee discussed the green map on the TPC wall and whether it was out-of-date. The map needs updating.

THE EDUCATIONAL ACCESS SUBCOMMITTEE REPORT

Hal Layer made the Subcommittee report.

He referred to the Subcommittee's January 20th concern about the two-way full video link wiring of schools and TPC's assumption that Viacom will provide, free of charge, two-way capability for live or video tape distribution at key distribution points.

Layer distributed copies of a Viacom Cablevision letter, dated March 18th, which replied to a TPC request for Viacom Cablevision's understanding as to whether the franchise calls two-way service, free of charge, to schools.

The letter (attached) stated that Viacom Cablevision has no knowledge of any agreement, written or oral, that would provide two-way service, free of charge, to schools or any other clients.

The letter stated that Viacom Cablevision will provide two-way service for a fee. Levitin explained the charge as being similar to charges for use of telephone lines.

Levitin was asked if the Board of Supervisors would have been charged a carriage fee if it had decided to proceed with cablecasting Board meetings. She replied that payment for the service would have been required.

Committee members asked for a fuller explanation of the service charge.

The proposed wiring of community centers for two-way capability was cited as an area of concern in respect to carriage charge.

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Layer reported on developments on proposed construction at John O'Connell High School; and used the project as an example of a site which would use two-way carriage very intermittently.

Hoss reported that the SFUSD Superintendent has appointed Deputy Superintendent Thomas Sammon to work with the TPC on possible upgrading of the John O'Connell High School site. Mr. Sammon has selected Ms. Frances Tawoniak, from the SFUSD Curriculum Division to act as an advisory member of the Educational Access Subcommittee.

THE POLICY COMMITTEE REPORT

Dick Hoss reported on developments at the Policy Committee meeting on March 19th.

The Committee now consists of Abrams, Levitin and Kelsey. Singsen has left the Policy Committee and is now assigned to the Consumer Services Subcommittee.

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Confidentiality of franchise revision proposals compiled by the Policy Committee will be observed in accord with the City Attorney's advice in his letter, dated February 26th. Draft or preliminary reports are exempt from disclosure until the Policy Committee has filed a final report with the full TPC.

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The Policy Committee has directed staff to commence research on statues prohibiting landlords from denying tenants the right to subscribe to cable television.

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Connie Brand reported to the Policy Committee on a Cable Policy Act provision which requires cities to set up rules and procedures for use of access channels.

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The Policy Committee's schedule for franchise revision proposals was restated.

Subcommittees will submit recommendations for franchise changes by the end of May. The Policy Committee will meet in June and July to compile all of the recommendations.

The Policy Committee will report to the TPC in August.

The TPC will then have two months in which to study the recommendations.

THE MUNICIPAL SERVICES SUBCOMMITTEE

The Subcommittee Chair, Roberto Esteves, had to leave the meeting after ninety minutes.

Connie Brand reported on four resolutions approved by the Subcommittee and referred to the TPC for action.

Two of the resolutions were rephrased and approved.

MOTION: The TPC agrees that there should be a separate agreement between City departments regarding interdepartmental municipal access for video equipment scheduled for TPC insurance. Seconded and carried.

MOTION: The TPC approves the "San Francisco Senior Showcase" proposal for use of $1,500 already allocated as

seed money to create the interdepartmental production. Seconded and carried.

The TPC re-referred the following motion to the Subcommittee for clarification.

MOTION: If income is generated from video use, rental or other sources, and a TPC Municipal Access fund is set up with income so generated, this fund shall be used solely for audio and video production purposes. Re-referred to Subcommittee.

The TPC tabled the following motion until such time as the Subcommittee Chair can make a presentation.

MOTION: All City public buildings in areas wired or scheduled to be wired must be cabled at no cost to the City. Tabled.

OLD BUSINESS

No old business was carried over.

NEW BUSINESS

Mike Spain, an observer, suggested that the TPC get a closer definition of two-way transmission; and reported his understanding that the term means simultaneous sending and receiving of signal. He suggested that the TPC ask the City Attorney to look into the matter.

Levitin reported that Spain's definition of two-way transmission is not Viacom Cablevision's understanding of the term.

Various Committee members stated that the proposed carriage fee for two-way service had not been previously discussed.

.....

Mr. Dave Evans introduced himself as the SFUSD's radio engineer for KALW. He described Viacom Cablevision's quote for connecting John O'Connell High School to its headend as a very realistic price.

ADJOURNMENT

The Chair announced that the TPC's next monthly meeting will occur on May 29th at 4:00 p.m.

The Committee adjourned at 5:23 p.m.

CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 · TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

PROPOSAL TO CREATE A NON-PROFIT PUBLIC ACCESS CORPORATION
(Approved by the TPC -- April 18, 1986)

I. PURPOSE

The Telecommunications Policy Committee proposes the creation of a non-profit public access corporation (Corporation) to enhance the community's use of public access Channel 25. This proposal is based on our belief in the following principles:

--Freedom of speech

--Public access to diverse sources of information

--Community control of local access resources

--Citizen access to appropriate media technology

The purposes for which the Corporation is formed are as follows:

1. To promote and encourage the use of public access cable to serve the needs of citizens, civic organizations, cultural and arts organizations, ethnic and minority communities, and other community users in San Francisco.

2. To solicit, apply for and receive contributions, grants, donations and loans of all types from individuals, organizations, corporations, foundations and government agencies to support the activities of the Corporation.

3. To train individuals and non-profit organizations to produce high-quality video programming of interest to the community.

4. To advise the Telecommunications Policy Committee on matters pertaining to public access.

II. FUNCTIONS OF THE CORPORATION

The initial functions of the Corporation are as follows:

A. Outreach

1. Identify potential public access users and determine their community communications needs.

2. Identify specific communities presently underserved by Channel 25 and inform them about the public access opportunities available at Channel 25.

3. Develop a community outreach program designed to encourage diverse community participation at Channel 25, including training and programming.

4. Develop multi-racial and multi-lingual community users of Channel 25.

5. Identify appropriate community centers for two-way cable origination points.

B. Fundraising

1. Prepare a short-term and long-term fundraising development plan.

2. Secure funding from public and private sources to support the programs and activities of the Corporation.

C. Audience Development

1. Plan and implement a comprehensive publicity campaign to inform the general public and specific target audiences about the programming cablecast on Channel 25.

2. Develop training programs to help community organizations and other producers to build a regular viewership for their programs on Channel 25.

D. Community Programming Development

1. Facilitate the use of Channel 25 for community users, especially non-profit community organizations, who are unable to devote sufficient organizational resources to produce their own programming, but would still like to participate in public access.

E. Training

1. Create a range of low-cost and accessible training programs for community users that will teach the basic skills needed to produce programming of reasonable quality.

2. Develop or identify advanced training sessions for more sophisticated community users.

3. Explore cooperative training programs with local media organizations, community and cultural centers, and educational institutions.

4. Provide for the training of non-English language speaking community users.

F. Internship Development

1. Provide an opportunity for high school and college students to develop video production skills while helping community organizations to produce their own programs.

2. Establish formal relationships with colleges and universities to ensure a steady source of interns.

G. Community Producers Grants Fund

1. Administer a grants program to subsidize production costs of locally produced community programs. The goal of the program will be to ensure diversity of programming sources. Small grants will be made available to organizations and individuals for productions that would not be produced without such support.

2. Develop guidelines for the processes of grants application, proposal review and programming evaluation.

H. Administration

1. Develop responsible fiscal management practices.

2. Efficiently manage all programs of the Corporation.

3. Develop job descriptions and hire staff.

4. Prepare reports required by the TPC on time.

I. Policy

1. Provide recommendations to the Telecommunications Policy Committee regarding local and national public access issues, Channel 25 operations, programming policy, the Franchise Agreement, and any agreements between the Corporation, TPC and Viacom.

III. BOARD OF CONVENORS

The TPC proposes to create a Board of Convenors to incorporate the Public Access Corporation and initiate its activities.

A. Purpose of Board of Convenors

1. Write the Articles of Incorporation
2. Draft the By-Laws of the Corporation
3. Obtain Federal 501 (c) (3) tax-exempt status
4. Obtain State of California tax-exempt status
5. Develop process to select Board of Directors, including at-large representation
6. Develop goals and objectives for the Corporation
7. Develop fundraising strategy
8. Recommend benchmarks for TPC's 1987 evaluation of the Corporation
9. Prepare detailed budget for 1987
10. Report to TPC in September, 1986 on progress of Board of Convenors; submit budget for 1987

B. Selection of Board of Convenors

The TPC proposes to create a 17-member Board of Convenors to organize and incorporate the Corporation. The TPC will strive to have the Board of Convenors reflect the cultural, ethnic, neighborhood, age and sexual diversity of the overall population of San Francisco.

To fill three spots on the Board of Convenors, the TPC will ask the Mayor, the Culture and Recreation Committee of the Board of Supervisors, and Viacom to make one appointment each to the Board.

To fill the remaining 14 seats, the TPC will ask a number of institutions and organizations to nominate members to the Board of Convenors for service of a six month period. To ensure participation of a diverse and representative group of members, including individuals with appropriate skills and interests for the task set out for them, the TPC will select Nominators from three categories of organizations: Foundations and grant-making institutions; Media-oriented organizations; civic, cultural and community organizations.

Each Nominator will be asked to nominate one individual, who may be a member or employee of the Nominator's organization, or may be anyone else considered to be an appropriate member of the Board of Convenors. The TPC will ask Nominators to give careful consideration to the nomination of individuals with appropriate skills and experiences, including but not limited to fundraising, video production, community organizing, non-profit organizational development and management. The TPC will also encourage Nominators to nominate individuals who are willing to participate fully in the work of the Board of Convenors. The TPC will require all nominees to submit a resume and short statement of interest in the work of the Board of Convenors and the Corporation.

Two weeks after the TPC requests nominations from the Nominators, the Public Access Subcommittee will review the resumes and statements of the nominees and contact each for a brief interview. Upon completion of this review process, the Subcommittee will recommend to the full TPC 14 nominees for appointment to the Board of Convenors. The Subcommittee will recommend a reasonably equal balance of nominees from the three categories of Nominators.

The following Institutions and Organizations will comprise the group of Nominators:

Foundations

San Francisco Foundation
California Council for the Humanities
Bank of American Foundation
Zellerbach Family Fund
Woman's Foundation
Gerbode Foundation
Columbia Foundation
Skaggs Foundation
Capp Street Foundation
Irvine Foundation
Levi Strauss Foundation
Northern California Grantmakers Group
Vanguard Foundation
Cowell Foundation
Elise and Walter J. Haas Foundation

Media Organizations

Bay Area Video Coalition
Media Alliance
Foundation for Community Service Cable Television
City College -- Broadcasting Department
SF State -- Creative Arts Department
Public Media Center
Film Arts Foundation
La Mammelle, Inc. Video Gallery
Association of California Independent Public Television Producers
National Federation of Local Cable Programmers -- Bay Area Chapter
National Asian American Telecommunications Association
Pacific Education Network
Unity Films
Cine Accion
San Francisco Public Access Producers Association

Community, Civic and Cultural Organizations

League of Women Voters
United Way
SF Central Labor Council
Private Industry Council
Bay Area Lawyers for the Arts
Chinese for Affirmative Action
NAACP
MALDEF
North of Market Planning Coalition
Bernal Heights Community Foundation
Self Help for the Elderly
Public Interest Clearinghouse
Independent Living Resource Project
Mission Cultural Center
Western Addition Cultural Center
Consumers Union
Japanese American Citizens League
Jewish Welfare Federation
Catholic Social Services
San Francisco Council of Churches
Gray Panthers of San Francisco
West Bay Pilipino Multi-Service Center
National Gay Rights Advocates
San Francisco Tomorrow
Multi-Service Center for Koreans
SF Tenants Union
Fort Mason Foundation
Exploratorium
Glide Memorial Church
SF Neighborhood Arts Coalition
Theatre Communications Center of the Bay Area
La Raza Information Center
Community Board Program
Grey Panthers
SF Junior League
Potrero Hill Neighborhood House

IV. RELATIONSHIP BETWEEN TPC AND THE PUBLIC ACCESS CORPORATION

A. Funding

1. The City will continue to appropriate .2% of the Franchise Fee to the TPC for the Access Development Fund. The TPC will recommend to the Board of Supervisors, on an annual basis, continuation, modification or expansion of this arrangement, for public, municipal and educational access,as appropriate.

2. Viacom will contribute $25,000 a year, until 1988, to the Access Development Fund. The TPC and the Corporation must raise matching funds to qualify for the 1987 and 1988 contributions.

3. The TPC will appropriate funds from the Access Development Fund to support the activities of the Corporation, in reasonably balanced proportions with municipal and educational access.

4. The TPC and the Corporation will develop a coordinated strategy to raise additional funds to supplement monies appropriated from the Access Development Fund for public access.

5. The TPC, or the Corporation, as designated by the TPC, will initiate discussions with Viacom to identify additional sources of revenue for the Corporation.

B. Accountability

The TPC recognizes that the Corporation will be an independent entity. Nevertheless, the TPC, in its role as mandated by the Board of Supervisors, will hold the Corporation responsible for the use of funds appropriated by the TPC.

1. The TPC will establish a time schedule to guide the Board of Convenors and the Corporation in the completion of various phases of this project. The time schedule will be used, in part, to provide a way to measure the ability of the Convenors and the Corporation to manage its responsibilities in a timely way.

2. The TPC wil continue to endorse the activities of the Corporation with funding and other means of support provided the Corporation executes its tasks in a demonstrably responsible and competent manner.

3. To guide the TPC in its evaluation of the work of the Corporation, the TPC will direct the Board of Convenors to meet with the Public Access Subcommittee at least once during the incorporation period to present a verbal report on its progress.

4. Furthermore, the Board of Convenors will be directed to submit a report to the TPC in September, 1986, that covers all tasks assigned in Section III (A).

5. The TPC will review the benchmarks recommended by the Board of Convenors. The TPC will accept, reject or modify these benchmarks, and negotiate with the Board of Convenors to arrive at measures of evaluation acceptable to both the TPC and the Board of Convenors. Once determined, the TPC will use these benchmarks to evaluate the work of the Corporation during its first year of operation. Future benchmarks will be determined by the TPC and the Corporation in in a process similar to that used in the first year.

6. The TPC will review the proposed 1987 plan and budget for the Corporation. The TPC will accept, reject or modify this plan and budget, and negotiate with the Board of Convenors to develop a mutually acceptable plan and budget for incorporation into the TPC's 1987 Access Development Budget for submission to the Board of Supervisors in December of 1986.

7. The Corporation, when established, will report to the TPC/Public Access Subcommittee, no less than once every three months.

C. Policy

1. The TPC will continue to exercise its mandated responsibility to advise the Board of Supervisors on public access related issues.

2. To help the TPC carry out this responsibility, the TPC will expect the Corporation to provide recommendations regarding public access policies, the operations of Channel 25, and matters related to the public access provisions of the Franchise Agreement.

D. Expansion of Responsibilities

The TPC will consider expansion of the Corporation's responsibilities for public access at a future date provided the following conditions are met:

1. The Corporation is able to demonstrate full ability to handle its initial responsibilities.

2. The Corporation is ready and willing to assume further responsibilities.

3. Mutually satisfactory agreements can be negotiated with Viacom.

4. The Board of Supervisors approves such agreements.

Future responsibilities may include, but are not limited to: hiring and supervision of Channel 25 staff; advising or setting of policies for operation and use of Channel 25; management of Channel 25.

V. FRANCHISE RECOGNITION

The TPC will recommend revision of the Franchise Agreement in 1986 to include formal recognition of the Corporation and its role in the development of public access in San Francisco.

VI. TIME SCHEDULE

1986

May 1 -- Endorsement of proposal by Culture and Recreation Committee

May 2 -- Request for Nominations of Convenors Mailed

May 12 -- Endorsement of proposal by Board of Supervisors

June 1 -- Selection of Board of Convenors

June 15 -- Board of Convenors meets

September 15 -- Board of Convenors submits 1st report to TPC

December 1 -- TPC submits Access Development Plan and Budget to Board of Supervisors

1987

January 5 -- Corporation formally incorporated;
Board of Directors established;
Board of Convenors dissolves

March -- Corporation reports to TPC

June -- Corporation reports to TPC

September -- Corporation submits Annual Plan and 1988 Budget request to the TPC

ViacomCablevision
MORE OF WHAT YOU'RE LOOKING FOR

RECEIVED
3-19-86

March 18, 1986

Mr. Richard Hoss
Cable Officer
Citizens Telecommunications Policy Committee
1182 Market Street
San Francisco, CA 94102

Subject: The question of whether the franchise requires Viacom to provide, free of charge, two-way capability for live or video tape distribution at key distribution points. Your letter of March 4, 1986

Dear Dick,

It is Viacom's understanding of Section 2(a) (1) of the franchise that the company is obligated to provide a distribution system and drop that is two-way capable. This is largely accomplished by placing a reverse module in the amplifier case, which, when activated, will be physically capable of transmitting a signal upstream. This definition is a generally accepted standard by the cable industry, as confirmed by the CCTA.

Viacom has no knowledge of any agreement, written or oral, that would provide two-way service, free of charge, to schools or any other client. Two-way service will be provided, for a fee, so that Viacom customers who wish to use cable solely for home entertainment will not bear the burden of subsidization.

I hope this will answer your questions about this matter, but if you wish to talk further, please feel free to call me.

Sincerely,

Sue Levitin

Sue Levitin
Director of Public Affairs

cc: Gwen Dillworth Battle
Chair, Education Sub-Committee

2055 Folsom
San Francisco
California 94110

Telephone
415 863-8500

A Division of
Viacom International

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SF Telecommunications Policy Committee

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MINUTES OF THE MEETING OF MAY 29, 1986

CALL TO ORDER AND ROLL CALL

The Vice Chair (Esteves) called the meeting to order at 4:00 p.m. at the Committee's office at 1182 Market Street.

Members present: Gwen Dilworth-Battle, Roberto Esteves, George Kelsey, Hal Layer, Sue Levitin, and Michael Singsen

Members absent: Rhonda Abrams, Cary Fong and Emily Pike

Staff present: Dick Hoss and contractors Connie Brand and Andrea Torrice

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The proposed agenda was adopted.

The minutes of the April 17th monthly meeting were approved as written.

The Vice Chair reported that Chair Emily Pike has requested an excused absence due to a recent accident which involved hospitalization.

THE EXECUTIVE COMMITTEE REPORT

MOTION: The TPC approves the 1985 annual report as written and directs staff to transmit it to the Clerk of the Board and to the Main Library Documents Division by close of work on May 30th. Seconded and carried.

The Management Audit

Esteves reported that the exit interview will occur on June 9th and that he will prepare an Executive Committee response to the management audit by synthesizing the written comments forwarded to him by members and by staff.

The TPC proceeded to discuss the management audit at some length. Esteves assured TPC members that their views will be fully taken into account and said that he looks forward to reading the varying perspectives.

He directed staff to make an a final contact with members not present and urge them to forward their views concerning the audit.

THE VIACOM CABLEVISION REPORT

Sue Levitin reported that the **Hunters Point area** construction now includes 2,140 homes passed.

The Upper Fillmore Area construction is underway but Viacom Cablevision has encountered lengthy delays in issuance of street cutting permits.

The Western Addition I and II areas has been released for marketing and subscribers are being connected. The combined area now includes 7,200 homes passed.

The St. Mary's Woods area has just been released for marketing and 562 homes have been passed.

The Bayview area will be released for marketing in two weeks. Viacom Cablevision is involved in the final phase of "proof of performance" for the FCC. The area includes 1,323 homes passed.

Levitin responded to a question by reporting that any gaps in recent wiring are due to easement problems or other legal reasons and not due to physical obstacles. Gaps do exist in the "old build" by Viacom Cablevision's predecessor.

She responded to a question about subscription to the special basic rate for SSI senior citizens by reporting

that 599 subscribers now take advantage of the rate; an increase over the 300 special subscribers last year. One person has signed up for the special rate for radio service to blind persons.

Levitin reported on Viacom Cablevision's efforts to advertise the low cost service. The Company carries an ad in the "silver pages" published for senior citizens; provides two messages per year by inclusion in the monthly billings (February and August this year); carries special rate information in the "Cableguide"; includes the information in its quarterly newsletter; uses Channel 6 to announce the availability of the service; is planning on the release of flyers on Viacom Cablevision letterhead; and is in contact with Broadcast Services for the Blind for public service announcements of the service.

CONSUMER SERVICES AND ASCERTAINMENT SUBCOMMITTEE

The Signal Testing Contract

Sue Levitin (Co-Chair) reported that Mr. Aubrey Harris will proceed with the design of specifications for determining the technical profile of Viacom Cablevision's cable system by using source data which includes the 1984 strand maps plus a block diagram of the headend.

Franchise Revision Proposals

The Subcommittee has developed some franchise revision proposals and will forward them to the Policy Committee.

A discussion ensued concerning the proposed survey of persons who have never subscribed to cable in San Francisco.

Layer explained the Subcommittee's position which is that polls should be conducted only when the TPC feels that they are needed in furtherance of resolving issues and questions of importance; and the information obtained by them must obtain results significant enough to serve the television interests of the City or of the public; and the value must be commensurate with the cost of obtaining the information.

Hoss reported that he will soon take action to "carry-over" the $20,000 appropriated for the "never subscribed" survey. After the funds are carried-over in FY 1986-87, the TPC may request the Board's permission to make other use of the money.

The Possibility of Refining the Subscriber Survey Questionnaire

The TPC assigned the Subcommittee to the task of determining whether or not the questionnaire should be refined at this time.

Levitin reported that the ELRA Group submitted a bid of $3,000 to revise the questionnaire; and that the Subcommittee instructed Hoss to write to the ELRA Group, telling them that the TPC is undecided as to when it will next contract for a survey; and that questionnaire revision is not practical at this time.

A division of opinion developed concerning the value of the present survey instrument.

THE EDUCATIONAL ACCESS SUBCOMMITTEE

Gwen Dilworth-Battle reported that the Subcommittee adopting a resolution on May 7th requesting the TPC to make an inquiry to Viacom Cablevision concerning the feasibility of providing a few hours for educational programming on an unused channel such Cable Channel 27.

Levitin said that Viacom Cablevision needs to know what time commitment is involved.

A discussion ensued as to availability of educational programming and of money for cablecasting.

MOTION: The TPC re-refers the motion concerning the feasibility of providing educational programming on an unused channel back to the Educational Access Subcommittee for the development of a detailed proposal including guidelines for an optimal timeframe. Seconded and carried.

The Quest for a Studio Facility

Layer reported that the advisory member from the

Community College District asked whether the TPC is committed to a single headend for educational access; or whether it is studying the feasibility of two educational access headends.

Layer reported that CCSF is interested in having an educational access headend.

Members expressed the notion that two headends may eventually be feasible and that the notion of two educational access studios is acceptable.

Hoss reported that a Board of Supervisors' resolution would be required to change the location where money is invested in a headend.

Layer reported that he asked Brand to assist in a dialogue between the two contenders. She said that she will draw up a list of questions in order to start a process between the SFUSD and the Community College District.

The TPC discussed CCSF's position within the wiring plan. The map discloses the school to be surrounded by the Twin Peaks 1983 area, the Excelsior 1982 area and by "old build."

Levitin estimated that construction can take place in 1987 or 1988.

The Committee agreed on the importance of a very detailed written agreement with the district which is

outfitted by use of access development funds.

THE MUNICIPAL ACCESS SUBCOMMITTEE

Esteves presented a motion which the TPC tabled on May 29th until such time as he could make the presentation.

MOTION: The TPC adopts a policy providing that, if a TPC Municipal Access Fund is set up with income generated from video use, rental or other sources, the funds shall be used solely for purposes of audio and video production. Seconded and carried.

Esteves presented a second motion which was tabled on May 29th pending his appearance. The Subcommittee motion proposed a policy that all City public buildings in areas wired or scheduled to be wired must be cabled at no cost to the City.

The TPC took the motion off the table but didn't vote on it. The Subcommittee will forward the proposal to the Policy Committee along with its other recommendations.

THE POLICY COMMITTEE

Levitin read the Policy Committee's schedule for franchise revision proposals. Subcommittee reports are due by May 30th.

The Policy Committee will met on June 10th and in early July.

.....

Brand will prepare a written report on how the cable

Communications Policy Act of 1985 may affect provisions of the franchise.

Esteves asked Levitin if Viacom Cablevision plans on deregulating its basic rates.

She replied that the Company hasn't taken a position in writing.

Esteves referred to the franchise section which provides that the Board of Supervisors shall continue to set basic rates regardless of FCC regulations or State law which may permit the deregulation of basic subscriber rates. He recalled advice by the City Attorney to the effect that a contract can take precedence over a statute.

Levitin said that the Cable Communications Policy Act does not permit rate regulation after December; and that federal law takes precedence over a local agreement.

The TPC agreed that on matters where a difference of opinion clearly exists, the City Attorney will be consulted.

PUBLIC ACCESS SUBCOMMITTEE REPORT

Singsen gave a status report on the proposed non-profit access corporation. The Culture and Recreation Committee's meeting date is uncertain.

A discussion ensued concerning how a July 10th hearing would conflict with TPC commitments to the NFLCP

conference. The Chair (Pike) wrote a letter to Supervisor Ward requesting that the TPC proposal be heard on July 3rd rather than July 10th.

Andrea Torrice made a staff report (attached).

OLD BUSINESS

The TPC discussed the date for its retreat and found that scheduling conflicts still exist. The date is tied to Kathleen Schuler's availability. The Committee settled on July 19th as the retreat date but authorized staff to work on further resolution of conflicting schedules.

NEW BUSINESS

The TPC discussed members' attendance at the NFLCP conference. Staff was authorized to pay for registration fees in accord with the following schedule.

Educational access funds will be used to register Dilworth-Battle and Brand.

Public Access funds will be used for Singsen and Torrice's registration.

General funds will be used to register Esteves, Kelsey and Hoss. Pike's registration will come from this source if she attends the conference.

Layer and Levitin will register with funds provided by their employers.

Abrams and Fong are unavailable for polling as to their interest in the convention.

ADJOURNMENT

The Chair announced that the TPC's next monthly meeting will occur on June 12th at 4:00 p.m.

The Committee adjourned at 6:05 p.m.

CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 · TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

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MINUTES OF THE MEETING OF JUNE 12, 1986

CALL TO ORDER AND ROLL CALL

The Vice Chair (Esteves) called the meeting to order at 4:00 p.m. at the Committee's office at 1182 Market Street. The Chair, Emily Pike, was not present due to an excused absence following an accident.

Members present: Roberto Esteves, George Kelsey, Hal Layer, and Sue Levitin were present.

Members absent: Rhonda Abrams, Gwen Dilworth-Battle, Emily Pike, and Michael Singsen were absent. Cary Fong resigned recently and has not been replaced.

Staff present: Dick Hoss and the contractors Connie Brand and Andrea Torrice were present.

Members of the public: James Anthony, Julia Miller attended the meeting.

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The proposed agenda was adopted and the minutes of the May 29th monthly meeting were approved as written.

Esteves, the Vice Chair, reported that Cary Fong has resigned and that the Board of Supervisors' Rules Committee is accepting applications for the remainder of the term which ends on January 31, 1988.

THE EXECUTIVE COMMITTEE REPORT

The Committee discussed the best method of transmitting reports to members of the Board of Supervisors.

MOTION: The TPC directs the staff to transmit monthly meeting minutes to the Board of Supervisors through the Clerk of the Board of Supervisors. Seconded and carried.

The Management Audit

The Executive Committee met on June 9th for an exit interview with the Harvey Rose Corporation auditors. Esteves reported that the meeting lasted three hours and ended with lack of agreement on some issues. He gave the TPC a report on the Executive Committee's progress in preparing a written response to the management audit.

The ensuing discussion highlighted areas of disagreement with the draft of the management audit report. Members of the TPC took strong exception to the suggestion that the cable franchise's 0.2% access development funding formula should be abolished.

The Retreat

Esteves reported on the Executive Committee's preparations for the retreat to be held on July 20th in the Lurie Room of the Main Library. The retreat will commence at 1 p.m. and last four hours. Members of the public may attend the retreat but not participate in the discussions.

The retreat's purpose is to discuss objectives for the years ahead. The TPC's planning cycle is three years in length rather than five years because the franchise contains a three-year revision window.

Ms. Kathleen Schuler, the facilitator, will meet in advance with the Executive Committee to plan the retreat.

The Executive Committee recommends a format which allows for free-wheeling discussion rather than a formalized meeting.

THE VIACOM CABLEVISION REPORT

Sue Levitin reported that Viacom Cablevision is marketing cable tv service in the Bayview, Hunters' Point and Western Addition areas.

Viacom Cablevision is unable to proceed with construction in the Hunters' Point Area because the San Francisco Housing Authority does not have centralized information concerning pole ownership. Much of the land and utilities at Hunters' Point are federally owned.

Levitin reported that Viacom Cablevision is testing a telephone device that should improve customer service.The machine can place out-going calls in pre-recorded voices that save time. In-coming call handling can also be improved by the system.

THE EDUCATIONAL ACCESS SUBCOMMITTEE

Hal Layer reported on developments at the Subcommittee meeting held on the previous day, June 11th.

He had no action to report to the TPC but asked about Channel 25's technical status because the Educational Access Subcommittee received reports about color shifts.

THE MUNICIPAL ACCESS SUBCOMMITTEE

The Subcommittee did not meet in June but will meet on July 15th.

Esteves' report included references to staff interaction with the War Memorial and Performing Arts Center; the Randall Junior Museum; and the Municipal Court system's training division.

THE POLICY COMMITTEE

Levitin reported that the Policy Committee met two days previously, on June 10th. At that meeting, the staff presented franchise revision proposals from the Subcommittees on Consumer Services, Educational Access, Municipal Services and Public Access.

The Policy Committee discussed the importance of a well advertised public hearing at which the public can present franchise revision proposals. The Policy Committee agreed to synthesize the public's recommendations and report them to the TPC.

The Policy Committee discussed the best plan for a public hearing and then adopted a resolution for reference to the TPC at this monthly meeting. The resolution read:

MOTION: The Policy Committee requests that the TPC convene a special meeting at the Main Library for the sole purpose of holding a public hearing on franchise revision proposals.

The hearing will be on August 13th and will commence at 4 p.m. in the Library Commission meeting room.

Time will be divided into four half-hour segments and scheduled for testimony by persons with interests in municipal access, consumer issues, educational access and public access. The parties will be heard in that order.

The TPC will take a fifteen minute recess after the first two half-hour sessions. Seconded and carried by the Policy Committee.

.....

Levitin further reported that the Policy Committee agreed that the City Attorney's office has to be involved in the franchise revision at some point.

The Policy Committee agreed to follow the City Attorney's advice concerning document disclosure. Mr. Agnost, in a letter dated February 26th, stated that draft reports are exempt from disclosure until a subcommittee has filed a final report with the full TPC.

Levitin reported that the Policy Committee had a division of opinion on whether or not to hold the TPC subcommittees' recommendations or to pass them on to the TPC's members.

The Policy Committee held the recommendations because some of the public access recommendations were not in final form and had not been considered by all of the Public Access Subcommittee members.

The documents presented by staff on June 10th will be held for the Policy Committee meeting on July 2nd.

.....

The TPC then took up the Policy Committee's resolution. The discussion included an exchange of views on how to best structure the meeting; what materials if any would be supplied to parties attending the hearing; and how the hearing is to be publicized most effectively.

The TPC then adopted the Policy Committee's resolution.

MOTION: The Policy Committee requests that the TPC convene a special meeting at the Main Library for the sole purpose of holding a public hearing on franchise revision proposals.

The hearing will be on August 13th and will commence at 4 p.m.

Time will be divided into four half-hour segments and scheduled for testimony by persons with interests in municipal access, consumer issues, educational access and public access. The parties will be heard in that order.

The TPC will take a fifteen minute recess after the first two half-hour sessions. Seconded and carried by the TPC.

PUBLIC ACCESS SUBCOMMITTEE REPORT

George Kelsey reported that the Subcommittee Chair, Michael Singsen, is out of the City but will return in time for the Public Access Subcommittee meeting on June 25th.

The P.A. Subcommittee's franchise revision proposals have been sent to Subcommittee member Emily Pike for approval prior to the June 25th meeting.

Andrea Torrice made a report on her outreach activities and her assignment as publicity chair for the NFLCP national conference.

OLD BUSINESS

Hal Layer had previously noted that the Telecommunications Policy Committee refers to itself as the TPC and sometimes as the CTPC. He asked for consistence usage of names and initials.

Members agreed that consistency is important and that the four word title Citizens' Telecommunications Policy Committee is too long for a sightly letterhead.

MOTION: The TPC shall recommend include in its recommendations to the Board of Supervisors that the franchise be amended to refer to the Committee as the "Telecommunications Policy Committee." Seconded and carried.

NEW BUSINESS

The TPC discussed the Board of Supervisors' Committee on Culture and its schedule for hearing the TPC's public access development proposal. The exact date is unknown.

The NFLCP national conference was discussed. Hoss reported that general funds cannot be used to pay for an ad. The TPC agreed that funds from the public access development budget will be used. The municipal and educational access development budgets will later be the source of partial reimbursement.

Members of the public did not use New Business time to address the Committee.

ADJOURNMENT

The Chair announced that the TPC's next monthly meeting will occur on July 17th at 4:00 p.m.

The Committee adjourned at 5:40 p.m.

CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 · TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

MINUTES OF THE MEETING OF JULY 17, 1986

CALL TO ORDER AND ROLL CALL

The Vice Chair (Esteves) called the monthly meeting to order at 4:00 p.m. at the Committee's office at 1182 Market Street. The Chair, Emily Pike, was not present due to an excused absence following an accident.

Members present: Rhonda Abrams, Roberto Esteves, George Kelsey, Will Leong, Sue Levitin and Michael Singsen were present.

Members absent: Gwen Dilworth-Battle, Hal Layer and Emily Pike were absent.

Staff present: Dick Hoss was present.
Contractors: Connie Brand and Andrea Torrice were present.
Members of the public: Ron Bermudez attended the meeting.

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ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The proposed agenda was adopted and the minutes of the June 12th monthly meeting were approved with a correction to the effect that Viacom Cablevision is not marketing in the Hunters' Point area.

Esteves, the Acting Chair, introduced the TPC's new member, Will Leong. Mr. Leong was appointed for the remainder of Cary Fong's term which ends on January 31, 1988.

VIACOM'S REPORT ON RECEPTION OUTAGES

Sue Levitin introduced Mr. Larry Coe, Viacom

Cablevision's maintenance manager. Mr. Coe gave a detailed report of Viacom Cablevision's countermeasures against service disruption. He reported that, in a recent 90 day survey of trunkline outages, the problem was loss of electricity in 70% of the outages. Repair time in such instances averages about 30 minutes. Viacom Cablevision is testing the use of alternative power sources.

The Company has an answering service and radio system which provide late night communications. Viacom Cablevision has realized a 17% reduction in subscriber complaints concerning outages. It has added 10,000 subscribers while experiencing less trouble calls than the company had with a smaller subscriber base.

THE EXECUTIVE COMMITTEE REPORT

The Management Audit

Esteves reported that the Harvey Rose Corporation management audit of the TPC is now complete and will be forwarded to the Board on July 18th. Esteves said that he spent the Fourth-of-July weekend working on the TPC's response which was due on July 7th, a Monday.

Esteves and Chair Emily Pike developed the TPC's item-by-item response which consisted of a two-page letter and a twelve-page response to the audit report. The TPC reply took particular exception to the recommendations that the

0.2% access development funding provision be abolished; and to the recommendation that the TPC's staff be placed in the CAO's office.

The TPC's document requested the Rose Corporation auditors to correct a number of errors which appeared in the first draft and the Executive Committee expected the final audit report to encompass a substantial number of changes. However, very few of the requested corrections were made and the final report contains a number of errors.

The Retreat

Esteves reported on preparations for the July 20th retreat which is going to develop objectives for the years ahead based on the TPC's three-year planning cycle. He said that the Executive Committee met with Ms. Kathleen Schuler, the facilitator, and settled on an agenda intended to result in the establishing of priorities, the allocating of resources and the development of plans and procedures to carry out the plan.

Will Leong's Assignments

The Chair introduced Will Leong. Mr. Leong is assigned to serve on the Executive Committee and on the Educational Access Subcommittee. He will succeed Cary Fong as Treasurer.

The Executive Committee's Business Report

Esteves reported that Chair Emily Pike wrote a letter to Supervisor Doris Ward requesting the Committee on Culture and Recreation to proceed with its hearing of the non-profit organization issue.

Pike is also working out procedures to ensure systematic collection of the 0.2% access development funds.

.....

The TPC requires the City Attorney's legal advice on some matters pertaining to the franchise window negotiations. The TPC Chair will soon send a letter to the City Attorney's office. Singsen said that he has some questions which he would like to have included.

.....

The NATOA national conference will be held in Philadelphia in September. A number of TPC members said that they want to attend the conference.

The amount of travel funds available this fiscal year was discussed. Hoss reported that the TPC was granted $6,000 in general funds for travel in FY 1986-87 and spent $525 on the NFLCP convention; leaving a balance of $5,475 unspent. He recommended that $1,000 per attendee be budgeted for this year's NATOA conference.

MOTION: The TPC will send two members of the Committee to the NATOA national conference. Seconded and unanimously approved.

Selection of attendees was referred to the Executive Committee for a report at the August 21st meeting.

.....

George Kelsey said that he was asked to become a candidate for the NFLCP Board of Directors; an appointment which entails travelling to four meetings a year. Kelsey asked if the NFLCP could subsidize his participation.

The request was referred to the Executive Committee and staff was directed to write to other S.F. Commissions to find out what they do in such cases.

THE VIACOM CABLEVISION REPORT

Sue Levitin reported that Viacom Cablevision gave Will Leong a tour of its facility including Channels 6 and 25.

The Construction Report

Viacom Cablevision is working in three areas concurrently. In the Hunters' Point Area, some underground work is done and some support wires are on the poles. Viacom Cablevision is still working with the S.F. Housing Authority to determine ownership of poles and of land because that information is needed for permission to proceed with construction. Viacom Cablevision's commercial department is working with the owners of multi-unit buildings in the area to reach agreement to wire buildings when construction is complete.

The **Upper Fillmore Area**, 1986 build, is an area where undergrounding is required. The trenching is 68% completed.

In the **Pacific Heights Area**, 1986 build, Viacom Cablevision will begin construction next week.

.....

Viacom Cablevision is constructing ahead of schedule -- the year is half over and the Company has completed approximately three quarters of the 1986 build. If that work is completed early, Viacom Cablevision will commence the 1987 build early.

Channel 25 Equipment

Levitin reported that studio camera IYA00323 was sent to the factory service center on March 15th and returned on June 9th when it was placed in service as camera #3. The repairs consisted of pick-up tube replacement and complete electrical alignment.

Studio camera 21A04823 was replaced by the above described camera because it intermittently "glinched" when switched on line. The camera was removed from studio service and is now being used as the remote camera where it is performing satisfactorily.

The original remote camera 21A04804 was damaged by user abuse and was sent to factory service on May 27th. Viacom Cablevision has received an estimate and has

authorized repair. The camera's return is expected by August 1st. When it is returned, it will be placed in service as the remote camera and camera 2IA04823 will be sent to Television Associates, a local authorized repair facility, to see if it can provide faster service. While this camera works well as a stand-alone, it needs repairs in order to function properly in a studio configuration.

The VHS editing system works properly but several audio monitor and AGC selector switches have been broken. The part numbers must be acquired in order to reorder.

THE POLICY COMMITTEE

Rhonda Abrams (Chair) reported that the Committee met on July 2nd at which time it discussed the franchise revision proposals forwarded to it by the TPC's subcommittees and decided that the subcommittee recommendations will be held by the Policy Committee pending completion of other work such as the Public Hearing scheduled for August 13th at the Main Library.

.....

The Policy Committee agreed upon the importance of a well advertised public hearing at which the public can present franchise revision proposals. It will synthesize the public's recommendations and report them to the TPC.

The Committee agreed that the purpose of the hearing

is to get public opinion concerning possible changes in the franchise and not to have a public review of the TPC's recommendations.

A copy of the franchise will be made available to anyone who asks for it but will not be routinely mailed because of its weight. Copies are routinely offered to persons who attend TPC meetings and subcommittee meetings and are on display on the conference table for issuance to persons dropping in.

Staff reported that it used a list of weekly and neighborhood newspapers to do a mailing which occurred prior to the deadline for those publications.

Notice of hearing will be send to individuals on the TPC mailing list. The Public Access mailing list contains approximately 200 names. Notice will also be run on Channel 25's character generator. The notice will refer to the availability of copies of the franchise.

.....

Abrams reported that the Policy Committee discussed what the TPC should do if the hearing runs overtime. The Committee agreed that the hearing can run half-an-hour over the two-hour format if necessary.

The Policy Committee agreed that its duties include catching revision suggestions which might otherwise escape notice. Staff is to ask the Educational Access

Subcommittee to clarify its franchise revision recommendations.

The Policy Committee agreed that City Attorney's legal opinions will be required during the window negotiations. The Committee adopted a motion requesting a City Attorney's opinion as to which body, the Board of Supervisors or the Telecommunications Policy Committee, is the appropriate entity to negotiate with Viacom Cablevision over changes in the franchise agreement.

.....

The Policy Committee discussed tenants' rights to be wired for cable despite landlords' objections. Levitin told the Committee that Viacom Cablevision will recommend such legislation and that its attorneys are drafting proposed language.

.....

The Committee discussed the effect of portions of the Cable Communications Policy Act on the Viacom Cablevision franchise and adopted a motion asking the TPC to request that the City Attorney's office evaluate the effect of recent federal legislation and appellate court decisions on the City's ability and the scope of its authority to regulate cable television.

The Policy Committee will meet again on August 4th.

The Spectradyne Inquiry

Spectradyne, a hotel communications company based in Texas, wrote to the TPC and described its plans to deliver satellite pictures from a single location to seven thousand hotel rooms in San Francisco by leasing telephone lines for transmission. The Company asked whether the City requires compliance with cable policies for such activities.

The TPC discussed the letter at some length. The Acting Chair directed staff to reply to the letter by telling Spectradyne that cable policies do not cover activity carried on by leased telephone lines; and to send indicated copies to the City Attorney and to the City's General Manager of Public Utilities.

THE MUNICIPAL ACCESS SUBCOMMITTEE

The Subcommittee did not meet in June but did meet on July 15th. Minutes will be available later because only two days have transpired since the meeting. Esteves distributed copies of the May 13th Subcommittee meeting, and a staff report dated July 17th.

A brief discussion ensued about bringing municipal users onto Channel 25.

The Subcommittee will meet on August 12th.

PUBLIC ACCESS SUBCOMMITTEE REPORT

Michael Singsen distributed a staff report, dated July 16th.

A discussed ensued about the Committee on Culture and Recreation's hearing schedule and what the Committee expects from the TPC.

The Subcommittee will meet on July 30th.

NEW BUSINESS

Ron Bermudez, a producer who uses Channel 25, addressed the Committee. Mr. Bermudez complained about the Giants baseball organization's use of television technicians who are not residents of San Francisco. He was told that the Giants reserved broadcast rights and the City has no jurisdiction over their activities.

Mr. Bermudez reported on the formation of a new group called the Public Access Producers' Association (PAPA). The group has franchise revision suggestions concerning use of Channel 25 which include priority for play-back time going to S.F. residents; no displacement of time slots; a "Board of Convenors which includes 50% public members; and operating hours which include 10 pm through 12 am.

Mr. Bermudez complained about the cameras at Channel 25 and discussed the difference between broadcast quality and home-use quality. The Acting Chair reminded him that

the Public Access Subcommittee is dealing with this issue.

Mr. Bermudez complained about not being allowed playback time until he pays a debt owing to Channel 25.

ADJOURNMENT

The Chair announced that the TPC's next monthly meeting will occur on August 21st at 4:00 p.m.

The Committee adjourned at 5:55 p.m.

MUNICIPAL ACCESS STAFF REPORT

July 17, 1986

ACTIVITIES

Programming/Interdepartmental Production

1. Followed up insurance questions with Keith Grand; response is due any day.
2. Met with the following departments:
   - Recreation and Parks department
   - De Young Museum
   - Human Rights Commission
   - Children's Health and Disability Prevention Program, Dept. of Public Health and SF General Medical Center
   - Randall Junior Museum
   - SF Public Library

3. Muni Railway Media Services has received a $20,000 grant from AC Transit to produce a "senior sensitivity" training tape and PSA.
4. Community Mental Health produced a tape on "Stigma" using City equipment and staff. Inventoried their equipment.
5. Wrote a follow up letter to the Dept. of Social Services re. the internal cabling of 1440 Harrison to receive the municipal channel.
6. Attended the NFLCP workshop on videotape exchange networks.

Videotext

1. Reviewed Police microwave system RFP with the Purchaser to see what would apply to a videotext RFP.
2. Completed the Request for Information for a videotext system and mailed it to prospective vendors. Responses are due August 10.
3. Attended "Mindset" workshop/demonstration.
4. Arranged a demonstration of Chicago's videotext system by Oneac's Communications Manager.
5. Discussed the RFI on the phone with a PacBell representative.

Grantwriting

1. Requested support letters from City departments for the Senior Video grant proposal.
2. Wrote follow up letter to the San Francisco Foundation.

Coordinated Telecommunications

1. Received responses from departments specifying locations to be installed with cable.
2. Met with Clair Gimblin to review City Hall wiring plan for phone, and future fiber or RF cable for video transmission.
3. Sent LOGIN information to Budget Analyst, City Planning, and EIPSC.

Policy

1. Wrote Cable Act analysis for Policy Committee.
2. Read articles on the Supreme Court decisions.
3. Attended workshops on access and cable policy at the NFLCP conference.

Administrative

1. Municipal access announcements, minutes, and agendas; updated computer files.
2. Three interviews on Management Audit; wrote response to Executive Committee.
3. Monthly financial reports on Educational and Municipal Access; received Viacom payments; released Public Access funds.

Administrative (cont.)
4. Wrote staff report from May to July.
5. Revised franchise recommendations from Municipal Access Committee.
6. Proposed an educational needs/interest process for the Educational Access Subcommittee.

NFLCP Conference
1. With volunteer Carol McGruder, contacted, scheduled, and coordinated over 100 volunteers for the conference.
2. Attended the NFLCP Delegates meeting; the Organizational Development Committee has created Regional and Chapter Boards for greater representation at the local level.

PROBLEMS/CONCERNS
1. Where the Municipal Access videotext system will be located.
2. Outcome of the Management Audit (as I'm sure everyone is!)
3. When or if John Taylor will release our request for a computer to EIPSC.

EVALUATION
1. I feel behind on the Senior Video grant process and will be spending more time on this in July/August.
2. The NFLCP Conference had 1100 people attending; I feel the time was very well spent, and that the TPC got a lot of recognition for its work in San Francisco in return.
3. Meetings with departments are increasingly becoming more interesting, and requests for information and education will be a focus of mine in the next few months.

PUBLIC ACCESS SUBCOMMITTEE STAFF REPORT
JUNE/JULY 1986

7/16/86

PROGRAMMING

There were no new programming developments this month. Programming activities were primarily in the area of training.

1. Conducted a half-day intensive workshop in pre-production planning for the League of Women Voters.

2. Had meetings with the Mission Cultural Center to discuss community programming training needs.

3. Held a meeting with several current Public Access producers to discuss funding sources, long-term program goals and ways to prevent public access volunteer burnout.

COMMUNITY OUTREACH

1. Conducted a "What Is Public Access" workshop and studio tour with Channel 25 staff: 17 people attended the workshop from the following organizations:

Project READ
Multiservice Center for Koreans
Lighthouse for the Blind
Theater Bay Area
Senior Escort Service.

2. Attended meetings at the Film Arts Foundation and the Fort Mason Center to provide information on public access and the status of the non-profit access corporation.

3. Provided information about public access opportunities to the "Potrero View" and "Stageboard" newspapers.

4. Prepared and sent out a Public Hearing Notice to community members about the July 24th Culture and Recreation Committee hearing.

5. Appeared on FM radio station KNBR's public affairs program with Evelyn Pine from the Foundation for Community Service Cable Television to offer information abuot public access opportunities in San Francisco, and to discuss the NFLCP convention.

6. Attended the NFLCP convention July 10, 11 and 12, and moderated a panel on the "Basics of Community Organizing."

ADMINISTRATIVE

1. Prepared final draft of the Public Access Subcommittee's franchise renegotiation recommendations.

2. Prepared a list of community newspapers in San Francisco and assisted TPC in the mailing of Public Hearing Notices for August 13th.

3. Coordinated press relations and publicity for the NFLCP convention.

4. Attended meetings of the Public Access, Policy, Executive, and Consumer Services Subcommittees.

SF
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#2
8/21/86

CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 • TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

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MINUTES OF THE MEETING OF AUGUST 21, 1986

CALL TO ORDER AND ROLL CALL

The Vice Chair (Esteves) called the monthly meeting to order at 4:00 p.m. at the Committee's office at 1182 Market Street. The Chair, Emily Pike, was not present due to an excused absence following an accident.

Members present: Rhonda Abrams, Roberto Esteves, George Kelsey, Sue Levitin and Michael Singsen were present.

Members absent: Gwen Dilworth-Battle, Hal Layer, Will Leong, and Emily Pike were absent.

Staff present: Dick Hoss was present.
Contractors: Connie Brand and Andrea Torrice were present.

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The proposed agenda was adopted and the minutes of the July 17th monthly meeting were held over for approval at the September meeting.

THE EXECUTIVE COMMITTEE REPORT

The Chair reported that the Executive Committee met on August 13th and adopted three resolutions for referral to the TPC. He explained the first motion which involved travel authorization. The NATOA conference expenses will run about $1,000 for each of two attendees and the Western Cable Show will cost about $600 for each attendee. The NFLCP Far Western conference is scheduled to immediately

follow the Western Show and will not be expensive; probably a registration fee of less than $100 for two persons. The TPC will have $2,475 in travel funds remaining after deduction of the travel described in the resolution.

MOTION: The TPC authorizes Rhonda Abrams and Roberto Esteves to attend the NATOA Annual Conference in Philadelphia; and designates Esteves as the TPC's voting delegate (one delegate per organization).

The TPC authorizes George Kelsey to attend the NFLCP Far West Conference; and authorizes Dick Hoss to attend the Western Cable Show in Anaheim and the NFLCP Far-West Conference. Seconded and carried.

The Chair then presented a resolution pertaining to management of employees' time. He referred to the management audit report which discussed lines of authority.

MOTION: The TPC adopts a procedure to be followed when members request information from the staff and the request necessitates additional staff activity. In such cases, the request is to be made through the appropriate subcommittee chair or through the Executive Committee rather than made as a request directed to the staff member. Seconded and carried.

The Chair presented a resolution pertaining to use of TPC letterhead by Committee members. A discussion ensued about accurate representation of TPC policy and about lobbying by Committee members.

MOTION: The TPC adopts a rule governing the TPC members' use of TPC letterhead. The rule requires any communications by a TPC member on TPC letterhead to be approved in advance by the TPC Chair or by the Executive Committee. Seconded and carried.

The Retreat

Esteves distributed a staff report summarizing the retreat results. The TPC agreed that the subject is too complex to deal with in the Committee of the Whole. Therefore, the Chair referred the retreat report to the Executive Committee for development of a timetable and a proposed three-year master plan.

The Committee on Culture and Recreation Meeting on August 27th

Esteves reported that the agenda will include the status of the TPC's plans to create a non-profit organization intended to enhance public access to Channel 25; and will include a consideration of the management audit report. The Chair said that he and Singsen will develop the TPC's presentation.

THE VIACOM CABLEVISION REPORT

A Report on Recent Programming Changes

Sue Levitin introduced Mr. David Fox, Viacom Cablevision's Director of Marketing. Mr. Fox gave a detailed report of Viacom Cablevision's recent changes in programming as a result of the Quincy/Turner decision. Since mandatory "must carry" programming is no longer required, the Company has dropped two distant broadcast channels and one satellite service in order to add

Black Entertainment Television, the Discovery Channel, Nickelodeon, Video Hits One, and the Weather Channel to its Basic Cable Service tier.

The Arts and Entertainment channel, The Silent Network (hearing impaired) and the USA Network were moved from an extra cost level to the basic tier. The two distant broadcast channels dropped were Channel 42 (KFCB), a Christian Broadcast station, and Channel 60 (KCSM), a PBS station at the College of San Mateo.

Viacom Cablevision now cablecasts basic programming on 29 channels and offers 35 basic programming services due to the ability to share time on some channels; and has added "The Movie Channel" as a premium service, bringing the number of premium services to seven.

Mr. Fox said that Viacom hired "ASI" a Los Angeles based audience research firm to survey local viewers' preferences and based its programming changes on knowledge of the survey results and of focus groups' preferences.

TPC members engaged Mr. Fox in a discussion of the basis for dropping Channel 60 (KCSM), which offers telecredit courses at the College of San Mateo. The Committee also discussed duplicative programming on KNTV Channel 11 and asked if Viacom Cablevision knows what groups are most affected by the changes. The Chair recommended publicizing information on the times of day

when shared channels will be switched over to other programming.

Mr. Fox said that programming changes were based on viewing preferences and that Viacom Cablevision did not make value judgements concerning programming quality.

THE VIACOM CONSTRUCTION REPORT

Levitin reported that the trenching is completed in the **Upper Fillmore area.** Cable is being spliced and put in place. The "New Fillmore" neighborhood newspaper published a cover story on the construction activity in its July issue. Trenching started three weeks ago in the **Pacific Heights Area** and will be finished in late September. The area is principally an underground development with some aerial construction.

Construction has been halted in the **Hunters' Point area** while Viacom Cablevision awaits an agreement with the S.F. Housing Authority for permission to cross SFHA property to install cable. The SFHA is drafting the agreement which was to have been ready on August 18th. Viacom Cablevision is unable to proceed until it can review the document in its final form.

CHANNEL 25 EQUIPMENT -- A STATUS REPORT

Levitin reported that remote camera 21A04804 was shipped to Matsushita at Cypress, CA on May 27th and is

still at its repair center. The camera was to have been returned by August 1st but has not been received as yet.

Studio camera 1YA00323 developed an intermittent color lock problem and was taken out of service on July 24th. The camera was sent to Television Associates in San Jose; was repaired in less than two weeks; and is now in service in the studio.

Monitor and AGC selector switches for the VHS Editor have been received. Installation is partially completed. Replacement of switches takes one or two days per deck and Viacom Cablevision has scheduled the down time to have minimal impact on user access.

The remote VHS deck AC adaptor was returned to Matsushita on July 10th. The manufacturer has acknowledged warranty status and will complete the repairs at no cost. The deck is fully operational as a battery-powered unit.

The studio production switcher is malfunctioning because of a defect in the fader assembly and a new unit has been ordered. The switcher works well for cuts and fades to and from black. Dissolves between cameras result in a 10% video level fluctuation.

Levitin concluded the report by saying that, as of August 21st, three operational cameras are on line in the studio; as well as an operating remote unit and an operating editing unit.

Some of the other TPC members engaged Levitin in a discussion of Channel 25's cablecast color quality with some members contending that they have never seen a program on Channel 25 which showed people true-to-color. Levitin said that she watches the channel regularly and finds that programs are generally true-to-color.

THE CONSUMER SERVICES SUBCOMMITTEE REPORT

Levitin (Co-Chair) reported that the Subcommittee has received Mr. Aubrey Harris' specifications for testing signal quality and will discuss the document at a meeting in mid-September.

THE EDUCATIONAL ACCESS SUBCOMMITTEE REPORT

The Subcommittee has not met recently because many of the advisory members are on vacation for the summer. The Subcommittee will meet on September 3rd.

THE MUNICIPAL SERVICES SUBCOMMITTEE REPORT

Esteves (Chair) referred to the Subcommittee's franchise window request that Viacom Cablevision provide $500,000 over a two-year period for purchase of equipment for the production and post-production processing of municipal cable programming. He said that the Subcommittee has instructed its staff to specify the requested equipment and facilities.

He reported that the Subcommittee unanimously adopted a resolution stating that it is opposed to the proposed placement of the TPC staff in the CAO's office.

Esteves reported on a recent meeting with the Mayor's office at which he and Connie Brand briefed Messrs. Chuck Forrester and Peter Henschel on the TPC's activities.

Brand distributed a two-page listing of departments and agencies assisted and the nature of the projects (attached). She also distributed a staff report, dated August 21st (attached) and the municipal access portion of the TPC's status report to the Committee on Culture and Recreation (attached).

THE POLICY COMMITTEE

Rhonda Abrams (Chair) reported that the Committee met on August 4th at which time it discussed Viacom Cablevision's schedule of payment of the 0.2% access development funds; and of the $25,000 grants. The discussion also included a request that Viacom Cablevision's quarterly construction report include the number of homes passed.

Abrams read from a letter from Viacom Cablevision, dated August 7th, in which Sue Levitin confirmed her statement that Viacom Cablevision has arranged to have all future payments of access development funds made automatically on a quarterly basis.

Payments will be forwarded at a time concurrent with the 4.8% payment made to the Controller. Viacom Cablevision's grants will be paid annually for the life of the agreement, based on a written request each year by the TPC chair.

Homes passed by cable will be reported on that basis commencing with this year's fourth quarter construction report. A discussion ensued as to whether the number of homes in the area is also available for use as a denominator in measuring the completeness of the work. Levitin said that Viacom Cablevision will keep track of the number of homes passed by trunk lines rather than count all of the homes in the construction zones. Brand suggested that the number of households per area could be obtained from the Department of City Planning.

Legal Advice

Abrams read from a five-page letter (attached) from the City Attorney's office, dated August 13th, in which Mr. Len Snaider replied to the TPC's letter of August 4th. The City Attorney's letter followed the TPC's letter point-by-point and gave the following advice.

> The TPC's role is one of an initial fact finder and analyst. The Committee is not empowered to negotiate with Viacom Cablevision but can determine Viacom Cablevision's reaction to potential recommendations and its views on matters. The TPC can present alternatives to Viacom Cablevision and receive its reaction.

The Viacom Cablevision member of the TPC should not be precluded from participating in the Committee's proceedings on the grounds of conflict of interest. City Charter Section 8.105(1) states that conflict of interest provisions do not apply to persons serving as representatives of entities on bodies created by ordinances which provide seats for representatives of such entities. State conflict of interest codes apply to commissions with decision-making authority and not to advisory committees which give non-binding advice.

The City Attorney thinks that the City has a very limited chance of prohibiting Viacom Cablevision from raising basic service rates without the Board of Supervisors' permission because provisions of the Cable Communications Policy Act preempt contrary preexisting franchise provisions that regulate rates.

The August 13th Public Hearing

Abrams reported on the TPC's meeting in the Main Library. She said that the Policy Committee and its staff will summarize the testimony given by persons who addressed themselves to the franchise window. Some of the speakers devoted their time to programming issues rather than to franchise revision ideas.

.....

The Policy Committee will meet twice in September.

PUBLIC ACCESS SUBCOMMITTEE REPORT

Singsen distributed copies of the public access portion of the TPC's status report to the Committee on Culture and Recreation; and the Subcommittee minutes of July 30th (attached). Torrice distributed copies of a six page activity status report; and a monthly expense report.

Singsen reported on receipt of Viacom Cablevision's letter concerning a training process. He said that the Subcommittee is working on curriculum and will respond. A discussion ensued about the training facilities available at local colleges.

Torrice reported that October 3rd will be "PSA Day" at Channel 25. Viacom Cablevision and the TPC's Public Access Subcommittee will co-sponsor a community access program providing cost-free videotaping of 30 or 60-second public service announcements.

NEW BUSINESS

Mr. Joseph C. Fusco of 333 Chattanooga Street addressed the Committee. He said that he had attended the TPC's August 13th public meeting on the franchise window and observed a large proportion of senior citizens object to Viacom Cablevision's dropping of KCSM Channel 60. Mr. Fusco commented on Viacom Cablevision's viewer preference survey and asked why it wasn't available to the Committee. He concluded by expressing an interest in serving as an advisory member on one of the TPC's subcommittees.

Mr. Michael Spain, a producer, asked questions about the origin of the TPC's letter to the City Attorney; about the Policy Committee's role in the TPC's franchise window

discussions; and about its role generally.

The Chair explained the Policy Committee's mission generally and its present role as a compiler of franchise revision ideas.

Mr. Spain referred to previous comments about the time of day at which the TPC holds its monthly meetings. The Chair raised the possibility of meeting later in the day and instructed staff to poll the Committee members to ascertain their ability to meet at a later time.

ADJOURNMENT

The Chair announced that the TPC's next monthly meeting will occur on September 18th at 4:00 p.m.

The Committee adjourned at 5:59 p.m.

ITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CITY ATTORNEY

PHILIP S. WARD, ACTING CITY ATTORNEY

14 Van Ness Avenue
an Francisco, California 94102
415) 864-1952

Leonard L. Snaider
Deputy City Attorneys

Z5Zp

Ref: WA0186/86-SB 66

August 13, 1986

Ms. Emily Pike
Chair Telecommunications Policy Committee
1182 Market Street
San Francisco, CA 94102

Re: Response to August 4, 1986 Request for Legal Advice

Dear Ms. Pike:

In yourletter of August 4, 1986, you have requested advice relative to three primary issues. The first involves the role of your Committee in making recommendations relative to franchise amendments. The second involves questions about the limitation of the Viacom member's role on various issues. Your final request relates to an evaluation of changing federal law and federal court decision in the "Preferred" case. With respect to the third issue, this letter will only discuss the question of ratemaking authority under the federal law. I'll be happy to discuss any other specific issues with you after further clarifications and discussion with your staff. Each of these issues will be set forth individually.

I. Committee Role in Franchise Revision

The franchise requests the Committee to make recommendations to the Board of Supervisors relative to franchise amendments at three-year intervals. The franchise further sets the criteria for these franchise changes. In providing these recommendations to the Board, the Committee's role is one of the initial factfinder and analyst, not negotiator . The Committee must determine what types of franchise amendments would be reasonable given the criteria set out in the franchise. In doing this it must, of course, conduct discussions with Viacom, but these discussions would not be negotiating sessions. The Committee is not empowered as such to negotiate with Viacom. It certainly can determine Viacom's reaction to certain potential recommendations and Viacom's views on matters and it can certainly present alternatives to Viacom and receive Viacom's reaction. The Committee is not empowered to negotiate franchise provisions.

OVER

II. Conflict of Interest

At pages 2 and 3 of your letter, you present different situations and inquire if under these circumstances the Viacom member can participate or vote in Committee proceedings. Generally speaking, the Viacom member should not be precluded from participating in Committee proceedings on the grounds of conflict of interest.

Under City Charter Sec. 8.105(l), it has been recognized the conflict of interest provisions should not apply to

> "any member serving as a representative of any profession, trade, business, union or association on any board, commission or other body heretofore or thereafter created by ordinance of the City and County of San Francisco which requires that the membership consist in whole or in part of representatives of specific professions, trades, businesses, unions or associations".

The franchise specifically provides for a representative of the grantee, as well as specific representatives of other interests. City conflict of interest statutes would not apply in the instant case.

With respect to state conflict of interest statutes, an initial determination must be made if Committee members are subject to such statutes. State conflict of interest codes apply to boards or commissions with decision making authority. (Govt. Code Sec. 87100). You properly recognize in your letter at page 2 the TPC's recommendations to the Board of Supervisors are advisory in nature and non-binding. The Committe itself is an advisory Committee. Ultimate authority on all issues which the Committee analyzes rests in the Board of Supervisors. The Committee's role both as a matter of law and a matter of practical policy has been advisory. Under these circumstances Committee members are not officials subject to the state conflict of interest sections. In conclusion the Viacom member can vote and participate in the issues you describe in your letter.

III. Impact of Cable Communications Policy Act of 1984

Viacom has recently indicated to me that it intends to set its own rates in 1987 without first applying to the Board of Supervisors for permission. We believe that we will have a very limited chance of prohibiting Viacom from setting basic rates given the Cable Telecommunications Policy Act of 1984 (S. 66) and a recent Federal court case in the city of Fullerton.

A. The Franchise Requirements - In 1980 Viacom's franchise was extended well before expiration. One of the primary considerations that led the City to extend the franchise was Viacom's commitment that "for the term of the franchise regardless of Federal Communications Commission regulations or state law which currently, or may in the future permit the deregulation of basic subscriber rates. Basic subscriber rates shall continue to be set by the Ordinance of the Board of Supervisers "(§2A 6)". At the time of the franchise negotiation, limited state deregulation had already been approved and it seemed probable that further deregulation bills might be coming out of the legislature. This assumption proved correct. Govt. Code §53066.1 effectively deregulated Cable rates. Also, at the time the franchise was executed, the Federal Communications Commission had issued various regulations which impacted Cable TV franchises and more were feared. Prior to the execution of this franchise, and subsequent to the execution of franchise, Viacom indicated that it would continue to present its basic rates to the Board for approval regardless of change of law. Viacom did not attempt to take advantage of amendments to the Govt. Code in 1983 that granted total deregulation. Viacom also gave no indication it would attempt to take advantage of any changes in federal law. In December of 1984, the 1984 Cable Communications Policy Act (S 66) became federal law. This Act gave the FCC authority to set regulations relative to rate regulation. [§623(B) (1)]. In December of 1985, FCC regulations established that operators such as Viacom should not be subject to rate regulation.

B. Viacom's Position - Viacom alternatively contends that San Francisco franchise requirement, if applicable, only applies to changes caused by FCC regulations and not federal law changes, and that the deregulation in the instant case arises out of a change in federal law. They primarily argue that even if the franchise provision is applicable, it has been preempted by federal law. These issues will be discussed separately.

C. Scope of Franchise - Technically, federal deregulation came about as a result of FCC regulations. S 66, as previously indicated, left to the Federal Communications Commission final authority as to whether various Cable companies would be deregulated, and it is the FCC regulations (albeit pursuant to federal law) that sanctioned deregulation. Although this issue is not totally clean, I believe we could reasonably argue and reasonably win the point that the FCC regulations effectuated the deregulation and therefore, our franchise provisions are applicable. This argument is strengthened because we are dealing with a franchise and there is a legal requirement that franchise provisions be interpreted in favor of the grantor. Southern California Gas Company v. City of Los Angeles, 50 C.2d 713, 719, 720; Civil Code §1069.

D. Preemption - Assuming the franchise language does cover the change in federal regulations, the issue of preemption arises. Viacom argues that federal law essentially preempted contrary preexisting franchise provisions. There is no question that the federal law was designed to deregulate Cable TV rates. This is set out in §623 of S 66. Section 636(C) of S 66 specifically preempts any inconsistent franchise provisions. Although this is very strong ammunition for Viacom, it is not totally dispositive. The law clearly allows cable companies to voluntarily select the manner in which their rates can be regulated. The law itself does not preclude Viacom from applying to the City to have its rates set. The law does not preclude the Board of Supervisors from setting rates once they are presented by the cable company. Given these points, it could be argued that since Viacom can voluntarily present rates to the City, a voluntary contractual waiver of future rights to deregulation should be upheld.

We believe this argument will be extremely difficult to win. As previously stated, the actual franchise provision is somewhat cloudy. Even if it can interpreted as we indicate, I believe a court would be more likely to find preemption where the waiver of future rights is not absolutely clear cut. Secondly, although the law does not explicitly cover this point, there is a general strong intent for deregulation and strong intent for preemption on areas inconsistent with deregulation. Although franchise provisions inconsistent with subsequent FCC regulations have been upheld, see Cox v. New Orleans, 594 F supp. 1452 (1984), such provisions are usually strictly construed.

A recent Federal District Court case, City of Fullerton v. Group W. Cable was decided against the city. In the Fullerton case, the cable company in signing the franchise, waived its right to deregulation under provisions of state law. It subsequently determined it would set its own rates regardless of this waiver. The City sued to enforce the franchise. The Court granted the cable company summary judgment in August of 1985. This case involving state law was a far stronger case for the City of Fullerton than our issue of federal law. There is no question that the federal courts will be far more likely to uphold the comprehensive deregulation bill under federal law.

E. Conclusion - We believe that we will have a very limited chance of prohibiting Viacom from setting basic rates under SB 66.

I hope this correspondence is responsive to your letter. I will happily discuss further issues with you and your staff.

PHILIP S. WARD
Acting City Attorney

Leonard L. Snaider
Deputy City Attorney

Via [illegible]

August 7, 1986

Ms. Rhonda Abrams
Chair, Policy Sub Committee
Citizens Telecommunications Policy Committee
2170 Bush Street
San Francisco, CA 94115

Dear Rhonda,

I am writing to answer two requests made by the Policy Subcommittee at the recent meeting on Monday, August 4, 1986.

The first request was to confirm in writing my verbal report that Viacom has responded to the portion of the Budget Analyst's report that addresses the payment schedule of the 0.2% portion of the Franchise Fee, called the Access Fee. Viacom has arranged to have all future payments to the fiscal agent (Friends of the Library), made on an automatic quarterly basis, concurrent with the 4.8% Franchise Fee payment paid to the City. The annual grant of $25,000 paid by Viacom to the CTPC through a fiscal agent, shall remain on the current schedule which is one payment annually for the length of the agreement, based on a written request each year from the Chair of the CTPC.

The second request was to confirm that Viacom will provide additional information to the quarterly construction report by adding homes passed in each neighborhood. Our records of homes passed begin with neighborhoods constructed in 1981, which is when the Board of Supervisors added a wiring plan to the Franchise Agreement. This information will be included in the fourth quarter construction report.

I trust this letter answers both inquries, but should you wish to discuss this further, please call me at 863-8500.

Sincerely,

Sue Levitin
Director of Public Affairs

CC: Ms. Emily Pike
Chair, CTPC

SL/ET:0090A

CITIZENS' TELECOMMUNICIATIONS POLICY COMMITTEE
MUNICIPAL ACCESS SUBCOMMITTEE STATUS REPORT
AUGUST 1986

The following objectives have been accomplished:

1). Established an insurance fund and reviewed policies with the City Risk Manager to guarantee departments against damage or loss of equipment loaned to other departments.

2). Explored cablecasting the Board of Supervisors' meetings.

In November 1985, the Subcommittee reported to the Culture and Recreation Committee on the precise costs and physical improvements necessary for wiring City Hall's Committee Room 228 and the Chambers for live cable television production.

The report addressed 1) procedures for gavel-to-gavel coverage; 2) identification of the Viacom Cablevision channel; 3) equipment quality; 4) production staff; 5) reliability and scheduling of programming; 6) costs of operations; and 7) who would pay for the programming.

In December 1985, the Board of Supervisors voted to not proceed with cablecasting Board meetings.

3). Reviewed the policies and procedures of 30 cities for municipal access and identified policy issues for San Francisco.

The CTPC recommended to the Board of Supervisors:

* policies for municipal cablecasting;

* that the CTPC be given authority by ordinance to set policies for municipal access;

* that the CTPC study existing City agencies to determine the feasibility of undertaking actual operations and management; and,

* that the responsibility for the municipal access channel and its related activities shall lie solely with the City and County of San Francisco and not be the responsibility of Viacom Cablevision.

4). Identifed possible locations for a Central Resource Center including studio space and a VHS editing system.

The cost of wiring John O'Connell High School for two-way cable was estimated by Viacom engineers, and existing equipment and wiring surveyed. The costs of upgrading the studio plant for lighting and cablecasting were included in the Educational Access Subcommittee's 1986 budget. The budget was approved by the Board of Supervisors.

Preliminary discussions with the Library indicate that the architects of the new Main Library will include a video production facility in the plans.

5). Investigated the creation of municipal videotext for City interdepartmental use and for dial-up access by the public. Determined system criteria and sent a Request for Information to 27 possible vendors.

6). Established a system of contractual services which enables City departments to share human and equipment resources on a reimbursement basis. Departments with equipment were surveyed, personnel identified, equipment listed, procedures for training and release of equipment collected, and the interdepartmental work order system described.

7). 45 departments and commissions have been contacted with information on 1) wiring public buildings for cable tv reception, and 2) an interdepartmental system to share video production equipment.

OVER

OVER

8). Assisted 37 departments and agencies with program planning, production, or municipal wiring.

9). Developed a grant proposal for an Interdepartmental Production Model with senior citizen volunteers and the Office of Senior Information. Technical assistance will be provided by the Public Library Video/Deaf Services; Community Mental Health Consultation, Education and Information; and Municipal Railway Media Services.

10). Participated in the Telecommunications Steering Committee (TSC), an interdepartmental user group under the Electronic Information Processing Steering Committee. The TSC will advise several City departments on the combined transmission of voice, data, and video where economically feasible.

11). Attended all interdepartmental meetings of the Department of Public Works Telephone Advisory Group, which reviews issues arising from the installation and operation of the new City-owned telephone system.

12). Attended and reported on the National League of Cities' Briefing Session on the Cable Communications Policy Act of 1984; two League of California Cities' Computer, Cable and Telecommunications Conferences; the Bay Area Cable Administrators' lectures on state legislation and First Amendment court cases; the National Association of Telecommunications Officers and Advisors' National Convention; the California Cable Television Association's Western Cable Show; and the National Federation of Local Cable Programmers National Conference.

13). Recommended franchise changes to facilitiate municipal access. The CTPC will be recommending franchise changes to the Board of Supervisors in November 1986.

MUNICIPAL ACCESS STAFF REPORT
August 21, 1986

ACTIVITIES

PROGRAMMING/INTERDEPARTMENTAL PRODUCTION

1. Contacted the following departments and agencies:
   - California Academy of Sciences
   - Public Health Promotion and Education
   - Water Department
   - Planning
   - War Memorial and Performing Arts
   - Muni Railway's Community Affairs
   - SF General Hospital Patient Education
   - Budget Analyst
   - Municipal Court
   - Public Works Bureau of Building Inspection
   - Mayor's Office
   - Library for the Blind
   - KALW Radio/TV
2. Reported on City Risk Manager's response to questions on the insurance policy.
3. Arranged tape playback for Supervisor Walker at Muni Railway Media Services.
4. Arranged equipment for the Library's "Talking Book" program.
5. Arranged audio recording for Recreation and Park's Planning slide show.

VIDEOTEXT

1. Received a letter from Communication Specialists re. consulting services.
2. Received Texscan/MSI/Compuvid response to the RFI.
3. Researched Expo 86 videotex cable channel.

GRANTWRITING

1. Meeting with Nancy Pietrafesa, San Francisco Foundation, and Carolyn Sachs, Benton Foundation; wrote thank you letters.
2. Developed budget for Injury Prevention for Children grant to the Kaiser Foundation.
3. Contacted Fort Mason Community Gardens, San Francisco Senior Center, and the Marina Merchants Association on the senior grant.

COORDINATED TELECOMMUNICATIONS

1. Update from JoAnn Barry on new City Hall phones and switch.

ADMINISTRATIVE

1. Municipal announcements, minutes, and agendas; updated computer files.
2. Wrote monthly financial report for Muncipal and Educational Access budgets; released checks for publications and supplies; requested monthly copies of Friends books.
3. Wrote staff report for July to August.
4. Wrote annual Board of Supervisors status report.
5. Attended TPC retreat.
6. Mailed proposed franchise changes and hearing notice to about 100 City/County agencies and departments; follow-up phone calls to Municipal Access Subcommittee members.
7. Compiled municipal access projects list.
8. Attended Civil Service Commission hearing at Muni Railway's request.
9. Educational access anouncement; sent list of schools wired to Educational Access Subcommittee; Subcommittee roster.
10. Follow up on EIPSC computer request.
11. Answered complaints and questions re. the hearing.

OVER

PROBLEMS/CONCERNS

1. Response to the RFT was slim, therefore I think follow up calls to prospective vendorsa should be made.
2. Will any of the funds from "departmental" or "educational" grants I assist with go towards the Viacom grant match? Need I ask for any documentation on these?

EVALUATION

1. I concentrated on outreach and following up on projects this month. Consequently I have more departmental requests for assistance.
2. The insurance questions should be settled this month, allowing for training on City equipment.
3. Grant proposals for the senior project should go out this month and the next.

TELECOMMUNICATIONS POLICY COMMITTEE
MUNICIPAL ACCESS PROJECTS
CITY/COUNTY DEPARTMENTS & AGENCIES ASSISTED

August 4, 1986

DEPARTMENT/AGENCY	VIDEO/CABLE TV PROJECTS
Board of Supervisors Supervisor Nancy Walker	Cablecasting Report "Supervisor Nancy Walker Reports"
Arts Commission	PSA; copyright research
Commission on Aging	General Interest: Senior Programming
Commission on the Status of Women	General Interest
Police	Cable Channel Transmission Microwave System
Fire	Training
Unified School District Bilingual Education	Educational Channel John O'Connell Studio/KALW Homework Hotline
City College Broadcasting Dept.	Educational Channel
Public Health	
Health Promotion and Education	VHS equipment for training
Laguna Honda	Satellite teleconferences
SF General Hospital	Child Injury Prevention Grant
Mission Health Center	Child Injury Prevention Grant
Office of Senior Information, Health Promotion and Referral	"San Francisco Senior Showcase"; audio programs
Eldercare	"San Francisco Senior Showcase"
Community Mental Health	3/4" equipment use; "Stigma"; Death and Dying videotape; PSA production; tape distribution; tape library; research on 8mm equipment
Public Information	AIDS programs; wiring of Public Health buildings
Recreation and Parks	Special Projects; Sports programs; Zoo 2000; 3 to 5-year plan; wiring of Parks buildings
Randall Junior Museum	Science Education tapes; VHS equipment use; renovation of Museum auditorium; research on projectors

OVER

DEPARTMENT/AGENCY	VIDEO/CABLE TV PROJECTS
Human Rights Commission	MBE/WBE programs; Gay/Lesbian AIDS Task Force programs
Public Library	"Deaf Artists"; Equipment sharing; Main Library
Mayor's Office of Community Development	General Interest
Mayor's Office of Emergency Services	Earthquake Prevention tape
Mayor's Citizen Assistance Center	General Cable Information
Muni Railway Media Services	Bus driver training; Senior Sensitivity tape and PSA; Muni schedules
Fine Arts Museums	PBS tapes for docent training; children's workshops
California Academy of Sciences	Interactive videodisc exhibits; slide/tape transfers; exhibit programs
Social Services	Wiring of 1440 Harrison building training; tape library
War Memorial and Performing Arts Center	Promotional; VHS equipment sharing; wiring; performance tapes
Municipal Court	Training tapes; wiring
Controller's Information Services Division	Use of cable for data; 5-year plan; shared transmission systems for video/voice/data
EIPSC	Shared transmission systems for video/voice/data
Public Works Telecommunications	Conduit; wiring; shared transmission systems for video/voice/data
Electricity	Microwave systems; general interest

DEPARTMENT/AGENCY	VIDEO/CABLE TV PROJECTS
Chief Administrative Officer	General cable information
Water	Archival tapes; Commission education; training
Planning	Downtown Plan slide show; Mission Bay Public Meeting documentation; municipal databases

CITIZEN'S TELECOMMUNICATIONS POLICY COMMITTEE

PUBLIC ACCESS SUBCOMMITTEE STATUS REPORT

AUGUST 1986

The following objectives were accomplished

1) Conducted a needs assessment of current and potential users of Channel 25.

Public Access Subcommittee staff conducted a needs assessment of current and potential users of public access Channel 25 to ascertain community interest and concerns about public access. The survey showed a strong interest among community organizations in utilizing Channel 25, however, many groups declined to participate in public access because of dissatisfaction with the operation and quality of equipment, and a lack of sufficient training in community production. The assessment also concluded that the current number of one full-time and one part-time staff at the channel was insufficient for proper channel operations, and would be hard-pressed to handle any additional local production.

2) Reviewed existing models of community-administered and controlled access channels.

Public Access Subcommittee staff compiled and analyzed documents on various access management structures currently in operation in other cities. A report, "Non-Profit Public Access Corporation Considerations for San Francisco", examining six key access management models was prepared for the Telecommunications Policy Committee (TPC) and the Culture and Recreation Committee in December 1985. This report was the basis for a proposal to create a non-profit Public Access Corporation for San Francisco.

3) Conducted a community outreach and education campaign about public access Channel 25.

Subcommittee staff met with 280 organizations and community members to discuss uses of Public Access, and conducted eight workshops in community programming development.

As a result, 90 volunteers offered to work on public access programs, and several new programs were produced or are currently in production. These include:

* "The United Way and You", a program presenting the services of United Way agencies,
* "City Voices", a community affairs program in which San Francisco community newspaper writers cover stories about issues facing residents of San Francisco,
* "Target Art", a calendar of art events in San Francisco,

OVER

* Haight Ashbury Children's Community Center
* Communication Workers of America--San Francisco Chapter
* Refugee Resource Center
* Senior Escort Services
* Cineaccione
* Project Artaud
* Ngazu Films
* One Act Theatre Company
* Black Trade Unionists Association

The following organizations were contacted in the past 12 months about public access opportunities.

ADAIR FILMS
ADVOCATES FOR WOMEN
AFRICAN AMER HISTORICAL SOC
ALAMO PARK HIGH SCHOOL
AMERICAN CANCER SOCIETY
AMERICAN RED CROSS
ARRIBA JUNTOS
ARTISTS EQUITY ASSN.
ASIAN-AMERICAN RES. REC. SER
BAVC
BAY AREA LAWYERS FOR ARTS
BAY AREA URBAN LEAGUE
BAY AREA VIDEO COALITION
BERNAL HEIGHTS CMTY. FOUND.
BETHEL AME CHURCH
BLACK CABLE TASK FORCE
BLACK COMMUNITY FORUM
BLACK FILMMAKERS HALL OF FM.
BROADCAST ARTS, SF STATE U
BROADCASTING DEPT, CITY COLL
CADILLAC HOTEL
CADILLAC PLAYERS
CALIFORNIA NEWSREEL
CAMBODIAN WOMEN'S ASSOC
CATHOLIC CHARITIES
CENTER FOR FILIPINOS
CHINATOWN YOUTH CENTER
CHINESE CULTURAL CENTER
CHINESE FOR AFFIRMATIVE ACT.
CINEACCIONE
COMM RELAT DIR/PACIFIC BELL
COMMUNIC CTR OF BAY AREA
COMMUNITY BOARDS OF S.F.
CONS. OF UNIT. INDIAN NAT.
CONSUMERS UNION
CORP FOR AMER INDIAN DEVEL
DEAF SELF-HELP/ST. BEN. CTR.
DEPT. OF PUBLIC HEALTH
ECONOMICS DEPT., SF STATE U.
EDUCATIONAL FILM/VIDEO PROJ.
EL TECOLATE
ETHNIC STUDIES DEPT/SFSU
EXEC DIR/PROJECT ARTAUD

FILM ARTS FOUNDATION
FORT MASON FOUNDATION
GLIDE MEMORIAL U.M.C.
GOETHE INSTITUTE
GRAY PANTHERS
GUY, MCTERNAN, ET AL.
HOSPITALITY HOUSE
HUMAN RIGHTS COMMISSION
INDEP. LIVING RESOURCE PROJ.
JAPANESE-AMER CIT. LEAGUE
JEWISH COMMUNITY FEDERATION
JUNIOR LEAGUE OF SF
KQED/COMMUNITY AFFAIRS
LA RAZA INFORMATION CENTER
LCL 9415/COMMUNIC WRKRS AMER
LEAGUE OF WOMEN VOTERS
LIGHTHOUSE FOR THE BLIND
LORRAINE HAINSBURY THEATER
MEDIA ALLIANCE
MEXICAN-AMERICAN LD&E FUND
MISSION CULTURAL CENTER
MULTI SERV CNTR FOR KOREANS
MULTI-CULTURAL COMMUNICATION
N. OF MARKET MULTIPURP SR SV
N. OF MARKET PLANNING COAL.
NAACP
NAATA
NAT CONF OF BLACK LAWYERS
NATIONAL GAY RIGHTS ADVOC.
NCWFT, C/O LANDMARK THEATER
NEIGHBORHOOD ARTS ALLIANCE
NEW GRANGE PRODUCTION
PACIFIC EDUCATION NETWORK
PAPER TIGER TELEVISION
PEOPLE FOR OPEN SPACE
PHILIPPINE ARTS IN THE CMTY.
PHOENIX NEWSPAPER, SF STATE
PILAC
POTRERO HILL COMMUNITY HOUSE
PRIVATE INDUSTRY COUNCIL
PUBLIC ADVOCATES
PUBLIC INTEREST CLEARINGHS.
PUBLIC MEDIA CENTER
RAINFOREST ACTION NETWORK
REFUGEE RESOURCE CENTER
S.F. ART INSTITUTE
SELF-HELP FOR THE ELDERLY
SELF-HELP FOR THE ELDERLY
SF CENT. LABOR CNCL./AFL-CIO
SF CONSERVATION CORP
SF COUNCIL OF CHURCHES
SF INDIAN CENTER
SF LAWYERS COMM FOR URB AFF
SF NUCLEAR FREEZE
SF PRETRIAL DIVERSION PROJ
SF TENANTS UNION

SF TOMORROW
T.U.R.N.
THE EXPLORATORIUM
THE POETRY CENTER, SF STATE
THIRD WORLD FUND
U.C. SCHOOL OF JOURNALISM
UNITED WAY OF THE BAY AREA
VIDEO FREE AMERICA
VIETNAMESE EDUCATORS ASSN
WELLS FARGO BANK
WESTERN ADDITION CULT. CENT.
WOMEN'S BUILDING
WOMEN'S FOUNDATION

PUBLIC ACCESS SUBCOMMITTEE STAFF REPORT
JULY/AUGUST 1986

8/21/86

OUTREACH

1. Reviewed all current public access public relations materials and developed new materials for public access outreach activities.

2. Met with Viacom Channel 25 staff to discuss possibilities of producing a joint newsletter about public access programming, policies, events.

3. Sent out 180 announcements regarding Telecommunications Policy Committee public hearing and Culture and Recreation hearing.

4. Began research for developing contacts with 100 new community organizations for fall of 1986.

TRAINING

1. Met with Kathleen Schuler to discuss community training program models and guidelines for San Francisco.

2. Held meetings with the Chinese Cultural Center/Chinese for Affirmative Action, Mission Cultural Center, and Western Addition Cultural Center to discuss community training program, goals, budgets, publicity, timeline. Drew up a draft for Training Guidelines.

3. Met with BAVC Director David Bolt to discuss reduced equipment rental prices for community training program.

PROGRAMMING

1. Met with Channel 25 staff to arrange logistics for a public service announcement day at Channel 25 on October 3rd. All welcome.

2. Met with League of Women Voters to assist in program planning. Their first program will be cablecast Wednesday, September 10th, 9:00 p.m.

3. Attended Public Access Producers Association production meeting.

ADMINISTRATIVE

1. Wrote Public Access Subcommittee Status Report.

2. Wrote up minutes for Public Access Subcommittee meeting.

3. Prepared monthly financial status report.

4. Responded to phone calls regarding Telecommunications Policy Committee public hearing.

5. Attended Executive Committee meeting, Telecommunications Policy Committee public hearing, and Public Access Subcommtittee meetings.

PUBLIC ACCESS PROGRAM DEVELOPMENT

STATUS REPORT

The following organizations have produced, or are in the process of producing, programs for Channel 25 in the past year.

* "The United Way and You", a program presenting the services of United Way agencies,
* "City Voices", a community affairs program in which San Francisco community newspaper writers cover stories about issues facing residents of San Francisco,
* "Target Art", a calendar of art events in San Francisco,
* "9 to 5", a program produced through Advocates for Women and the Private Industry Council about issues facing women in the workforce,
* "San Francisco Nuclear Education Project", a program which discusses the development of nuclear weapons and energy,
* "Artists Television Access," a program featuring the work of local film and video makers,
* "The League of Women Voters," a program covering important local and national political issues and interviews with local government officials and community leaders,
* "Black Students Association," a program produced by San Francisco State University students in the Ethnic Studies and Media Departments, covering local events and issues that face the Black community of San Francisco.
* "Self-Help for the Elderly," a public service announcement about that agency's services.

The following organizations were contacted but declined to program on Channel 25, or discontinued programming on Channel 25, because of a concern about poor quality equipment, insufficient training, or insufficient staff support.

* Arriba Juntos
* Advocates for Women
* Cambodian Women's Association
* Cadillac Players
* Deaf Self-Help
* San Francisco Nuclear Freeze Education Project
* Goethe Institute
* Chinatown Resource and Development Center
* Chinatown Youth Center
* Lorraine Hainsbury Theater
* National Asian American Telecommunications Association
* Neighborhood Arts Alliance
* Filipino Arts in the Community
* San Francisco Indian Center
* People for Open Space
* Paper Tiger Television--San Francisco Chapter
* United Way

* "9 to 5", a program produced through Advocates for Women and the Private Industry Council about issues facing women in the workforce,
* "San Francisco Nuclear Education Project", a program which discusses the development of nuclear weapons and energy,
* "Artists Television Access," a program featuring the work of local film and video makers,
* "The League of Women Voters," a program covering important local and national political issues and interviews with local government officials and community leaders,
* "Black Students Association," a program produced by San Francisco State University students in the Ethnic Studies and Media Departments, covering local events and issues that face the Black community of San Francisco.

The following organizations are currently developing public access programming:

* Mission Cultural Center
* Western Addition Cultural Center
* Chinese for Affirmative Action
* Chinatown Youth Center
* The Exploratorium
* Project READ
* NAACP

4) Developed a proposal for a non-profit Public Access Corporation (PAC) for San Francisco.

At the direction of the Culture and Recreation Committee, the Public Access Subcommittee reviewed access models, as described above, and developed a proposal for the establishment of a PAC for San Francisco. This proposal grew out of lengthy research and analysis, and was influenced by the stated opinions and concerns of many community organizations and public access producers. The proposal has been approved by the TPC and has been forwarded to the Culture and Recreation Committee for its approval.

5) Developed recommendations for amendments to the public access section of the San Francisco cable television franchise.

The San Francisco franchise is open for revision in 1986. As directed by the Board of Supervisors, the Public Access Subcommittee and staff reviewed the cable franchise language regarding public access and found that the franchise lacks specific language regarding the responsibilities and obligations of the cable company and the City for the provision of public access. This lack of specificity leaves many issues unclear to public access users and to the Telecommunications Policy Committee.

To prepare its recommendations for franchise revisions, the Subcommittee and staff reviewed public access provisions of many

franchise agreements from other cities, and thoroughly considered the implications of the proposed PAC for San Francisco. After lengthy deliberations and extensive public input, the Subcommittee prepared and delivered its recommendations to the Policy Committee of the TPC.

6) Assessed current resources available at the public access channel and identified production resources necessary to upgrade the facility.

The Public Access Subcommittee and staff conducted an evaluation of Channel 25's programming and equipment. The findings of the evaluations were compiled in a report "Public Access in San Francisco," which was prepared for the Culture and Recreation Committee in September, 1985. The TPC found that the majority of programming aired on Channel 25 is produced outside of San Francisco, and is religious in nature.

The TPC contracted with a television engineer to conduct a technical engineering analysis of Channel 25's equipment. The engineer's report, "Evaluation of Technical Performance and Signal Quality of Channel 25 Television" was reviewed and approved by the TPC in February, 1986. The report recommended that several key pieces of equipment be overhauled and that equipment maintenance be improved.

OVER

TPC FINANCIAL STATUS REPORT
For the period: July 1 to July 31, 1986

PUBLIC ACCESS 8/19/86

Line Items	Budgeted	Current	YTD	Unexpended	% Unexp.
Consultant Fees	$ 22,500.00	$ 1,875.00	$ 13,125.00	$ 9,375.00	41%
Legal Consultation	1,000.00	- -	- -	1,000.00	100%
Supplies	900.00	- -	246.60	653.40	73%
Duplication	1,701.00	22.25	180.36	1,520.64	90%
Computer Expenses	3,921.00	- -	- -	3,921.00	100%
Postage	1,200.00	- -	28.28	1,171.72	97.5%
Training Workshops	6,300.00	- -	- -	6,300.00	100%
Public Access Development	9,041.00	- -	645.00	8,396.00	92%
Fiscal Agent Fees					
1985	1,404.52	- -	1,404.52	00.00	0%
1986	1,351.00	- -	- -	1,351.00	100%
TOTAL EXPENSES	$ 49,318.52	1,897.25	15,629.26	33,688.76	72%
Revenue	- -	- -	18,990.09	- -	
Interest	- -	24.10	269.72	- -	
TOTAL REVENUE	49,318.52	- -	19,044.04*	- -	
Less Total Expenses		1,897.25	- -	- -	
Remaining Budgeted Balance	- -	- -	- -	33,688.76	
Remaining Cash Balance	- -	- -	- -	3,541.12*	

* Includes all interest earned from 1/1/86

TPC FINANCIAL STATUS REPORT
For the period: June 1 to June 30, 1986

PUBLIC ACCESS 7/22/86

Line Items	Budgeted	Current	YTD	Unexpended	% Unexp.
Consultant Fees	$ 22,500.00	$ 1,875.00	$ 11,250.00	$11,250.00	50%
Legal Consultation	1,000.00	- -	- -	1,000.00	100%
Supplies	900.00	- -	246.60	653.40	73%
Duplication	1,701.00	- -	158.11	1,542.89	90%
Computer Expenses	3,921.00	- -	- -	3,921.00	100%
Postage	1,200.00	- -	28.28	1,171.72	97.5%
Training Workshops	6,300.00	- -	- -	6,300.00	100%
Public Access Development	9,041.00	615.00	645.00	8,396.00	92%
Fiscal Agent Fees					
1985	1,404.52	- -	1,404.52	00.00	0%
1986	1,351.00	- -	- -	1,351.00	100%
TOTAL EXPENSES	$ 49,318.52	2,490.00	13,507.51	35,811.01	72%
Revenue	- -	- -	18,990.09	- -	
Interest	- -	29.85	245.62	- -	
TOTAL REVENUE	49,318.52	- -	19,019.94*	- -	
Less Total Expenses		2,490.00	- -	- -	
Remaining Budgeted Balance	- -	- -	- -	35,811.01	
Remaining Cash Balance	- -	- -	- -	5,414.27*	

* Includes all interest earned from 1/1/86

TPC FINANCIAL STATUS REPORT
For the period: May 1 to May 31, 1986

PUBLIC ACCESS 6/17/86

Line Items	Budgeted	Current	YTD	Unexpended	% Unexp.
Consultant Fees	$ 22,500.00	$ 1,875.00	$ 9,375.00	$13,125.00	58%
Legal Consultation	1,000.00	- -	- -	1,000.00	100%
Supplies	900.00	84.00	246.60	653.40	73%
Duplication	1,701.00	88.11	158.11	1,542.89	90%
Computer Expenses	3,921.00	- -	- -	3,921.00	100%
Postage	1,200.00	- -	28.28	1,171.72	97.5%
Training Workshops	6,300.00	- -	- -	6,300.00	100%
Public Access Development	9,041.00	30.00	30.00	9,011.00	99.7%
Fiscal Agent Fees					
1985	1,404.52	- -	1,404.52	00.00	0%
1986	1,351.00	- -	- -	1,351.00	100%
TOTAL EXPENSES	$ 49,318.52	2,077.11	11,242.51	38,076.01	77%
Revenue	- -	42.92	18,901.13	- -	
Interest	- -	39.84	215.77	- -	
TOTAL REVENUE	49,318.52	- -	18,990.09*	- -	
Less Total Expenses		2,077.11	- -	- -	
Remaining Budgeted Balance	- -	- -	- -	38,076.01	
Remaining Cash Balance	- -	- -	- -	7,874.42*	

Accounts Payable:
Public Access Community Fund 42.92

* Includes all interest earned from 1/1/86

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345
16
1/18/86

CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 · TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

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AGENDA FOR THE MONTHLY MEETING OF SEPTEMBER 18, 1986

I. Call to Order at 4 p.m.; Adoption of the Proposed Agenda; Approval of the July 17th and August 21st Minutes; and Excused Absences

II. The Executive Committee Report

A Report on Developments at the Committee on Culture and Recreation's meeting on August 27th

A Discussion of the Retreat of July 20th and what the TPC has committed itself to doing

Business Matters

III. The Viacom Report

IV. The Consumer Services and Ascertainment Subcommittee Report

V. The Educational Access Subcommittee Report

VI. The Municipal Services Subcommittee Report

VII. The Policy Committee Report

VIII. The Public Access Subcommittee Report

IX. Old Business

X. New Business

Access Development Grants -- the Matching of Viacom Cablevision's $25,000 Grant

XI. Adjournment

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CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 • TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

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MINUTES OF THE MEETING OF SEPTEMBER 18, 1986

CALL TO ORDER AND ROLL CALL

The Vice Chair (Esteves) called the monthly meeting to order at 4:00 p.m. at the Committee's office at 1182 Market Street. The Chair, Emily Pike, was not present due to an excused absence following an accident which requires an extensive amount of leave.

Members present: Rhonda Abrams, Gwen Dilworth-Battle, Roberto Esteves, Hal Layer, Will Leong, Sue Levitin, and Michael Singsen were present.

Members absent: George Kelsey and Emily Pike were absent.

Staff present: Dick Hoss; Contractors: Andrea Torrice; Members of the Public: Julie Miller and Mike Spain.

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The proposed agenda was adopted and the minutes of the July 17th monthly meeting were approved.

The August 21st minutes were approved after the TPC agreed to a correction of an attachment entitled "Public Access Subcommittee Status Report -- August 1986" which understated the number of persons employed by Channel 25 in August of 1986. Levitin reported that Viacom Cablevision employed two full-time staff members and one person on part-time in August, the date of the report.

THE EXECUTIVE COMMITTEE REPORT

The Committee on Culture and Recreation Meeting on August 27th

Esteves (Chair) reported that the Culture and Recreation Committee heard twenty-three persons comment on the TPC's plan to create a non-profit organization to

enhance public access to Channel 25; then closed the public testimony phase and continued the matter until October 2nd.

Singsen reported that Supervisor Ward will meet with Public Access Committee members and Viacom Cablevision representatives on September 30th to discuss the proposed non-profit organization.

.....

Esteves reported that Supervisor Silver raised a question concerning the scope of the authority that Section 25(b) of the franchise confers on the Board of Supervisors. The franchise provides that the Board may adopt franchise amendments which reflect service requirement changes based on advances in technology or demonstrated community needs. Silver asked the City Attorney to ascertain whether "demonstrated community needs" may include the need for additional Channel 25 funding.

Supervisor Silver requested a letter from the Culture and Recreation Committee to Viacom Cablevision requesting that Channel 25 programming receive space in Viacom Cablevision's viewers' guide.

Supervisor Silver expressed surprise at a statement, in the City Attorney's August 13th letter, that Viacom Cablevision has said it intends to set the basic rate in 1987 without applying for Board of Supervisors' permission. Silver requested that the City Attorney's

office ascertain the City's right to control the basic service rate.

.....

The Committee on Culture and Recreation then took up the management audit report and heard briefly from two Harvey Rose Corporation employees. Supervisor Silver asked an auditor if the recommendation that the TPC staff be placed in the CAO's office was made because the TPC needs more staff. The answer was unresponsive. The Chair calendared the remainder of the management audit for hearing on October 2nd.

THE REMAINDER OF THE EXECUTIVE COMMITTEE REPORT

Esteves reminded TPC members that subcommittees are charged with developing three-year plans for presentation at the TPC's November meeting. He distributed a document entitled "Retreat Results" -- a summary of the comments written by Kathy Schuler on sheets of wall display paper.

Layer took exception to a notation in the report stating that the TPC places high priority on annual polling. He restated a Consumer Services Subcommittee recommendation that polls should be conducted only when they are needed in furtherance of resolving issues and questions of importance; and when the information obtained is significant enough to serve the television interests of the City or of the public; and when the results are commensurate with the cost.

.....

Esteves reported on two personnel matters. Dick Hoss presented a proposed job description to the Executive Committee. The Executive Committee has included the duty of writing executive summaries of newsletters and other sources of information. This requirement is an outgrowth of the retreat.

Esteves recommended approval of Andrea Torrice's request for two weeks unpaid leave-of-absence in connection with her eye problem. The TPC adopted a resolution approving the leave.

.....

Will Leong reported a monthly meeting time conflict with previous commitments and said that Thursdays are generally bad for him. The Chair directed staff to poll the TPC for alternative meeting dates. Strong sentiments were expressed for Mondays but not all members were present.

THE VIACOM CABLEVISION REPORT

Sue Levitin reported that all construction between now and the end of the build is a combination of underground and aerial work, and technical design is based on this combination. The rains have started early and, if the season is severe, could have an effect on the current portion of the construction program. Long-range weather forecasts have reported that the rain will stop and the season will not be more severe than average.

Work in the Upper Fillmore area is complete. Viacom Cablevision will begin marketing the area in ten days. Construction is still in progress on Divisadero Street due to a street cutting moratorium.

Viacom has to use an alternative method of underground construction which is slower but is proceeding with construction work.

In the **Hunters' Point area**, construction is underway. Viacom Cablevision and the S.F. Housing Authority have signed an agreement. The Company hopes to complete construction in December if the rains are not severe.

The **Pacific Heights** area construction, an aerial/underground combination, is 50% complete. Viacom Cablevision hopes to complete the work by late October, weather permitting.

Levitin reported that, if all work proceeds as planned and weather permits, Viacom Cablevision will start 1987 construction in November of 1986.

Channel 25 Equipment -- A Status Report

Levitin reported that, due to user abuse, the back connector plate of a remote camera (#21Aov804) was smashed. The equipment was sent to Los Angeles on May 27th and was returned on September 8th. It is being used as a remote camera.

A studio camera (IYAoo323) was sent to TV Associates in San Jose and was returned in record time. However, repairs were not effective and the camera will be sent back when a replacement is available.

The VHS editor is fully functional with all user controls restored to use.

The remote VHS deck AC adaptor was repaired and is on-line.

The studio production switcher fader assembly is still on order.

The lens on a remote camera (21Ao4823) was smashed due to user abuse. It was sent to Matshushita in Cypress, CA for repair.

Levitin summarized by saying that Viacom Cablevision has three cameras in the studio but one exhibits a faint "flash" when used. It has been returned for repair. Another camera has a color problem and will be sent back. The editor and remote camera are fully functional. All VCRs and audio equipment are fully functional.

Other Viacom Cablevision Matters

A brief discussion ensued which included the following topics: the take-over bid by a group seeking control of Viacom Cablevision; a bingo format program on Channel 6; and the question of whether or not the Culture and Recreation Committee letter concerning inclusion of Channel 25 in the viewers' guide had reached Viacom Cablevision yet.

THE CONSUMER SERVICES SUBCOMMITTEE REPORT

The Co-Chairs (Layer and Levitin) reviewed work in progress. The Subcommittee is studying Mr. Aubrey Harris' proposed specifications for testing Viacom Cablevision's signal quality. The Subcommittee will meet on October 6th with an agenda which includes developing a three-year plan.

Hoss distributed copies of a proposed written procedure for dealing with subscriber complaints. Esteves referred the matter to the Subcommittee.

Singsen, a Subcommittee member, raised the issue of Viacom Cablevision's recent changes in programming as a result of the Quincy/Turner decision; and its dropping of Channels 42 and 60. He referred to the Board of Supervisors' direction to the TPC (Resolution 228-83) to analyze programming with regard to public interest, convenience, necessity and demands; and requested that the TPC refer a discussion of programming changes to the Subcommittee on Consumers Services.

Esteves offered a friendly amendment to the effect that the study should include an examination of the new "must-carry" rules.

MOTION: **The TPC directs the Subcommittee on Consumer Services to study the matter of Viacom Cablevision's recent changes in programming as a result of the Quincy/Turner decision and its dropping of Channels 42 and 60. The study shall include an examination of the new "must-carry" rules. Seconded and carried.**

THE EDUCATIONAL ACCESS SUBCOMMITTEE REPORT

Gwen Dilworth-Battle (Chair) reported that, on September 3rd, the Subcommittee reaffirmed its request for at least one educational programming headend at no cost to the City and with no charge being made for transmission of programming or for other signals from the education programming origination point to the home. The Subcommittee also reaffirmed the TPC's quest for assurance that the system will be two-way.

The Subcommittee will commence developing a three-year

plan at its October 7th meeting. It tabled a proposed letter to the SFUSD and the CCSF District asking if the districts want to commit resources to programming educational information on a half-an-hour-a-week basis commencing in November.

Dilworth-Battle reported that the Subcommittee engaged in an extended discussion of the TPC's plan to wire the John O'Connell High School studio and the need for a written access agreement with the SFUSD. The discussion included a Subcommittee advisory member's recommendation that the TPC **not** install lights at O'Connell High School because the studio contains no other equipment but instead purchase portable equipment for loan to the SFUSD. Dilworth-Battle reported that the Subcommittee tabled the question until October 7th, at which time Hal Layer will provide more information of the matter.

The TPC then discussed the suggestion that the O'Connell High School wiring project be abandoned. The ensuing discussion included an evaluation of the Board of Supervisors' willingness to spend the money in another way. The consensus was that the TPC does not want to go back to the Board with an amended access development budget.

The TPC then discussed the management audit report's recommendation that access development be put on a fiscal year basis. It concluded that the TPC should not assume

that the Board will change the access development funding cycle unless there is a good reason to do so.

THE MUNICIPAL SERVICES SUBCOMMITTEE REPORT

Esteves (Chair) reported that the Subcommittee, on September 11th, agreed to submit a detailed equipment and facilities request list in place of its unitemized request for $500,000 in equipment as part of the window negotiations.

The Subcommittee discussed which City department should administer the Municipal Access Channel. It discussed insurance, senior grants, the vidoetext RFP, training and the departments interested in municipal access. The Subcommittee will meet on October 14th.

THE POLICY COMMITTEE

Rhonda Abrams (Chair) reported that the Policy Committee met three times recently to compile the franchise revision recommendations.

The TPC agreed that the franchise revision recommendations which the Policy Committee has been holding shall now be sent to the subcommittees to enable them to look at the entire package.

Esteves announced that the TPC's October 14th meeting will be scheduled for three hours to enable the Committee to pass upon the revision recommendations.

.....

The Policy Committee report discussion period included a reference to the Municipal Services Subcommittee discussion about which agency will manage the Municipal channel.

PUBLIC ACCESS SUBCOMMITTEE REPORT

Singsen (Chair) asked Andrea Torrice to make the report. Torrice reported that the details of a comprehensive training program for community organizations and individuals who would use Channel 25 have been a big issue recently and that the Subcommittee must refine a plan for conducting workshops.

.....

Torrice presented a letter from the "Institute for the Advanced Study for Black Family Life and Culture" which appears to be a request for a programming grant. The ensuing discussion included the recognition that the Board of Supervisors has not released the $3,440 in grant money; and that its permission is needed to accept matching grant money.

Esteves directed Torrice to respond to the letter along the lines discussed; and referred the production grant topic to Subcommittee for development of guidelines. He said that the Municipal Services Subcommittee will also study the issue.

Torrice distributed a two page staff report, dated

September 18th (attached). She reported on Channel 25's Public Service Announcement day which will be October 3rd, and presented the flyer which was issued.

NEW BUSINESS

Ms. Julie Miller asked about the reference to $3,440 in production grants money. Esteves described the Board of Supervisors' action in putting a hold on the money, pending a plan.

Mr. Michael Spain, a producer, asked questions about the Municipal Service Subcommittee's request for $500,000 in equipment; and raised issues concerning the earlier request for a matching grant.

Spain said that the confluence of opposition to formation of a non-profit access organization leads him to believe that Viacom Cablevision is lobbying against the TPC's proposal. He asked Sue Levitin if that is the case. Levitin said that Viacom Cablevision has had no contacts with City Hall on the non-profit organization issue.

ADJOURNMENT

The Chair announced that the TPC's next monthly meeting will be held on October 14th at 4:00 p.m. and extend until 7 p.m.

The Committee adjourned at 5:59 p.m.

RETREAT RESULTS

Characteristics of the Plan

The plan is to be three-years in duration; will state priorities; deal with issues raised by the management audit report; be realistic; clarify the role of staff; and will be devised to put all of the TPC's operations within the City's fiscal year system.

PRIORITIES

The retreat included review of the TPC's duties as established by ordinance and by resolution.

High Priority

Promote public, educational and municipal uses of cable channels.

Review Viacom Cablevision's compliance with the construction plan; and review subscribers' complaints.

Analyze the state-of-art in cable technology.

Annual poll of subscribers.

Lower Priority

Analyze the use of existing/proposed access channels

Explore feasibility of lifeline cable services.

Review Viacom Cablevision's affirmative action plan.

Consult with community representatives.

SUBCOMMITTEE ASSIGNMENTS

Develop three-year goals, objectives and strategies. Planned work must fit within the City's fiscal year system.

Apply the management audit findings to the subject area covered by the subcommittee.

Report to the TPC: A Preliminary Report in October

A Final Report in December.

Setting of subcommittees' internal goals.

Staffing patterns and time utilization.

TPC v. subcommittee rationale - who does what.

Funding model.

Assignments to Subcommittees

The Educational Access, Municipal Access and Public Access Subcommittees shall each develop a three-year plan; analyze the use of existing/proposed channels; and consult with community representatives.

The Consumer Services Subcommittee shall develop a three-year plan for reviewing consumer complaints; polling subscribers and non-subs; and for possible expansion of the lifeline concept.

The Policy Committee shall develop a three-year plan for ensuring Viacom Cablevision's compliance with the franchise; for coordination with other kinds of

telecommunications technology; and for reviewing Viacom Cablevision's affirmative action activities.

The Executive Committee deals with short-term issues and will not develop a three-year plan due to the scope of its activities.

Format to be Followed in Developing a Three-year Plan

The plans shall fit the following format.

PURPOSE shall be examined and stated.

GOALS shall be specified and will remain the same for three years. Agreed upon goals included review of subscribers' complaints and review of the construction plan.

OBJECTIVES shall be measurable and time specific.

STRATEGIES include resource allocation and a time frame.

EVALUATION looks back at the end result and asks "did it happen?"

The TPC's Subscriber Complaint Goal

The TPC agreed that it is appropriate to review unresolved complaints for resolution of the complaints through positive action and expertise; and for the complaints' analytical value in advising the Board on franchise revision.

Resources load: who will review the complaints? The TPC is to allocate staff time for this purpose.

Development of a written complaint procedure with emphasis on resolving the relationship between the TPC and the CAO's office and Viacom Cablevision.

Assignment: Develop a schedule for TPC review of patterns of complaints and resolutions. Develop a schedule for including a complaint section in the Annual Report.

Strategies: Establish a network of referrals.

Assess what other advisory committees have done about complaints.

Develop succinct franchise language on this issue.

Resolve how to inform the public without generating unresolvable complaints.

THE CONSTRUCTION PLAN COMPLIANCE GOAL

Review is an appropriate role for the TPC; and the scope of the construction report is important.

Objectives:

Delineate the review procedures and document the construction effort. Procedures include the roles of the TPC, the CAO and Viacom Cablevision. The role of TPC as opposed to that of its subcommittees must be delineated.

Include a construction review section in the Annual Report.

Conduct a formal review of quarterly reports.

Assess how well residents are being served by a plan approved in 1983 (ie. what areas now contain residents; look for changing patterns).

OTHER TELECOMMUNICATIONS TECHNOLOGIES

Issue: is the TPC to go beyond cable and provide voice and data advice? Unresolved!
GOALS If adopted as a goal, the short-run goal would be to assess telecommunications problem areas.

Regular reports from the staff to the Municipal Services Subcommittee. Subjects would be activities of the TPC, EIPSC, TAG, etc.

Review existing plans before they go to the Board. Purpose -- clarification.

Evaluate municipal services information from NATOA.

Document what is involved in terms of staff time allocation.

Long-term goals would include the hiring of a consultant to conduct a "high ground" survey of telecommunications resources/needs.

FRANCHISE REVISION GOAL

The process is in place and details are being worked out. The main unresolved issue at the time of the retreat was who is to negotiate with Viacom Cablevision.

PROPOSED JOB DESCRIPTION
CABLE OFFICER

FUNCTIONS:

Reviews Subscriber Complaints

Reviews Construction Progress

Analyzes the state-of-the-art developments in cable technology including telecommunications construction, reception and programming equipment and resources.

Provides Legislative Policy Advice

Serves as Secretary to the Committee; as staff aide to the Executive and Policy Committees, the Consumer Services/Ascertainment Subcommittee and the Educational Access Subcommittee; as business manager; and as liaison with City departments which perform services for the TPC

FUNCTION: Review of Subscriber Complaints.

Duties Statements:

Reviews Viacom Cablevision's handling of subscriber complaints to ascertain whether the complaints raise service policy questions.

Seeks resolution of complaints that are referred to the TPC office.

Coordinates with other City agencies which take complaints.

Contracts for polls concerning the state of subscriber satisfaction as needed.

Knowledge and Abilities Statement:

Knowledge of subscriber satisfaction policy issues and of the types of service and billing complaints which give rise to policy issues.

9/12/86

Ability to get complaints resolved on a voluntary basis.

.....

FUNCTION: Reviews construction progress

Duties Statement:

Reviews reports on Viacom Cablevision's construction progress to assure that the company is in compliance with the plan.

Describes and certifies the extent of construction effort in quarterly reports submitted to the TPC.

Collects data which identifies new population centers which could be included in a revised wiring plan.

Knowledge and Abilities Statement:

Knowledge of the construction plan; of Viacom Cablevision's reporting system; and of patterns of new housing development.

.....

FUNCTION: Analyzes the state-of-the-art developments in cable technology including telecommunications construction, reception and programming equipment and resources

This is franchise language — a TPC duty

Duties Statement:

Presents the TPC with new information to enable it to review the extent to which Viacom Cablevision is including state-of-technology in its cable system.

← Executive summary of newsletter articles and other items of importance.

Develops new insights on telecommunications technology to enable the TPC to coordinate its efforts with City agencies charged with integrating voice and data transmission with the cable medium.

Knowledge and Abilities Statement:

Knowledge of cable technology and the extent to which Viacom is using it.

Knowledge of the activities of agencies working in and between City buildings to install voice and data paths.

Knowledge of trade magazines.

.....

FUNCTION: Provides legislative policy advice for the Committee concerning cable television.

Duties Statements

Studies federal and state legislation and appellate court decisions which affect or could affect the City's ability to deal with cable television and other broadband transmission technologies and reports relevant developments to the TPC.

Develops new insight on policy matters before the TPC and presents advice for TPC consideration.

Knowledge and Abilities Statement:

Knowledge of federal cable law, appellate court decisions, FCC regulations, and the City's cable television franchise.

Ability to identify the sources of problems, evaluate ideas and variables and propose solutions.

Ability to know when the Committee wants policy advise from the staff.

.....

FUNCTION: Serves as Secretary to the Committee; staff aide to the Executive and Policy Committees, the Consumer Services/Ascertainment Subcommittee and the Educational Access Subcommittee; as business manager; and as liaison person with departments which perform services for the TPC

Duties Statement:

Prepares meeting agenda in conjunction with the Committee Chair and subcommittee chairs; secures required documentation for agenda items; and provides notice of meeting.

Prepares minutes of Committee and subcommittee meetings; and acts as official custodian of the Committee's records.

Responsible for keeping the Committee's activities on schedule.

Maintains liaison with the Committee members to facilitate the flow of information needed by them to carry out their functions.

Coordinates the activities of the Committee with those of its subcommittees.

Develops advice for Committee and subcommittee consideration.

Insures that Committee and subcommittee directives are put into a time frame for execution as promptly as possible.

Provides information to the public and to City officials concerning policies and actions of the Committee.

Refers interpretive questions to the appropriate sources of information.

Represents the Committee and subcommittees as directed.

Prepares correspondence and and reports as needed.

Organizes public hearings including hearings on proposed franchise revisions during the franchise window period and develops advice for the TPC to provide to the Board of Supervisors at three year intervals when the Board proposes changes in the franchise agreement.

Performs the staff work required to accomplish all projects undertaken by subcommittees listed above, with the exception of the Educational Access Subcommittee where work is shared with a contractor.

As manager of the TPC General Fund budget, collects, reviews and assembles raw data comprising the budget; prepares supporting documentation for budget item requests.

Responsible for providing accurate and timely information to the Board of Supervisors' accountant for maintenance of the Committee's books.

Responsible for maintaining financial records sufficiently detailed to provide an account of how the Committee's money has been spent and how much remains.

Acts as the Committee's liaison person with the City departments which supply services required by the Committee.

Serves as the Department of the Board of Supervisors business contact with the Committee and is responsible for reporting requirements which arise from time-to-time.

Liaison person for firms under contract with the Purchaser to perform work for the Committee

Knowledge and Abilities Statement:

Requires knowledge of the workings of boards and commissions; the relevance of information presented; the purpose of meeting minutes; and the sources to which interpretive questions are properly directed.

Requires the ability to evaluate the material proposed for inclusion in reports; to edit reports; to prepare rules and procedures; and to deal tactfully and effectively with Committee members, the press, the general public, City officials, and professional and technical persons.

Requires knowledge of the Committee's priorities.

Requires the ability to identify the sources of problems; to evaluate ideas and to propose solutions to problems confronting the Committee.

Requires the ability to know when the Committee wants policy advise from the staff.

Requires knowledge of the scope of the various subcommittees and how their work relates to that of the Committee.

Requires the ability to evaluate the material proposed for inclusion in reports; and the ability to edit reports.

Requires knowledge of City procedures, particularly those of the Civil Service Commission, the Controller and the Purchaser.

Requires ability in dealing with contractors.

PROPOSED PROCEDURE FOR HANDLING SUBSCRIBERS' COMPLAINTS AND CITIZENS' INQUIRIES

Subscriber complaints and citizens' inquiries shall be entered into the computer according to the format on the attached page.

Definition: The word complainant has a meaning which includes former subscribers, future subscribers and non-subscribers with a complaint or inquiry which can only be resolved by Viacom Cablevision.

After the complainant's name, service address, account number, telephone number, and the nature of the complaint/inquiry are entered on the form, the TPC complaint-taker shall then telephone the Viacom Cablevision subscriber complaints office, report the complaint and seek resolution.

The TPC complaint-taker shall enter details of Viacom Cablevision's response to the complaint/inquiry in the box marked "Initial Response."

The TPC complaint-taker shall then telephone the complainant and inform him/her of Viacom Cablevision's initial response.

The TPC complaint-taker shall enter the complainant's response to Viacom Cablevision's response in the box marked "Complainant's Response."

The TPC complaint-taker shall telephone new information, if any, to Viacom Cablevision's complaint office.

The TPC complaint-taker shall mail the form to Viacom Cablevision's complaint office. Forwarding shall be at the time of the TPC's next mailing.

The Viacom Cablevision complaints officer shall report disposition of the case in the box marked "Final

Disposition" and mail it to the TPC office within five days after receipt of the complaint form.

If the complaint has not been disposed of within five days, the Viacom Cablevision complaints' officer shall return the form with an explanation of what action has been taken and what action, if any, is pending.

The TPC complaint-taker shall contact the complainant for a closing interview and record the results in the box marked "Telecommunications Policy Committee Action."

SUBSCRIBER COMPLAINT/CITIZEN INQUIRY

Date | Caller's Name | Phone Number

Address | Account Number

Nature of the Complaint/Inquiry

Viacom's Initial Response

Complainant/Inquirer's Response to Viacom's Response

Viacom's Final Disposition

Telecommunications Policy Committee Action

SFUSD

Ramon C. Cortines
Superintendent of Schools
(415) 565-9450

San Francisco Unified School District 135 Van Ness Avenue San Francisco California 94102-5299

September 4, 1986

Mr. Richard Hoss
Cable Officer
Citizens Telecommunications Policy Committee
1182 Market Street
San Francisco, CA 94102

Dear Mr. Hoss,

Mrs. Myra Kopf has asked to respond to your Committee's offer of a grant to improve the District's television production capacity through the direct improvement of John O'Connell's studio or through other means.

The grant offered is in the amount of $19,000, and in your initial letter it was to be spent on the improvement of the lighting system at the O'Connell Studio. I understand that further thinking on the part of the Education Subcommittee of the TPC has led you to consider creating the option for the District to spend the moneys on other related equipment.

With this letter, the San Francisco Unified School District formally acknowledges the acceptance of the proposed grant.

You should contact Daniel del Solar regarding the details involved in processing your proposed award.

The District is intensely interested in the rapid development of the educational cable channel at the earliest possible opportunity and we look forward to working with the Telecommunications Policy Committee to accomplish our mutual goals.

Sincerely yours,

Ramon C. Cortines
Superintendent of Schools

RCC/ama

City College of San Francisco

Division of San Francisco Community College District

50 Phelan Avenue • San Francisco, California 94112 • (415) 239-3_____

June 12, 1986

RECEIVED 6-16-86

Dear Gwen;

I said I would have some specific suggestions as to how to modify the money the Ed Access Subcommittee has to spend. Here they are.

Do not spend the money on lights for John O'Connell. Instead spend the money for a good three tube portable camera, a good 3/4 inch portable deck, batteries, power supplies, battery chargers and a good tri pod. Any money left over can be used for video tape.

Reason: Installing lights at this time is useless. The studio at John O'Connell has no ot her equipment and so if lights are installed all you have is space with lights, but you can not do anything with it.m Portable equipment can be used right now. It can be taken to schools to do programs to stockpile for future use and for use on Ch. 25. The portable equipment could be placed in a central location and teachers from the schools could check it out for their use. There could even be a cooperative deal worked between Unified and the Co mmunity College District whereby, on a scheduled basis, the Community College District could check the equipment out f or use. This way both educational institutions could gain. Again, portable equipment could be used now instead of sitting unused as lights would be.

Suggestion: For the next year's budget we should ask for $20,000 to $25,000. Since this year's budget is going to Unified, to keep things fair, the budget for next year should go to the Community College District. The money should be used for either buying the rights for programs for use when the ed. channel becomes available, or should be used to buy VCR's to get a start on a distribution/head end system.

I realize these are not the exact proper words to use, but the suggestions and the reasons should be specific enough.

Sincerely,

Phil Brown: Chair
BCST Dept.

CC: Connie Brand

GOVERNING BOARD: Ernest "Chuck" Ayala, President • Rev. Amos C. Brown, Sr., Vice President
Robert E. Burton • John Riordan • Julie Tang • Dr. Tim Wolfred • Alan S. Wong
Hilary Hsu, Chancellor Superintendent

City College of San Francisco

Division of San Francisco Community College District

50 Phelan Avenue • San Francisco, California 94112 • (415) 239-3_____

Sept. 5, 1986

RECEIVED 9-8-86 CB

Connie Brand
Telecommunications Policy Committee
1182 Market St.
San Francisco, Ca. 94102

Dear Connie,

Some further thoughts on why we should change the way we are supposed to spend the money we have this year. Would you please pass this on to Gwen, Hal, and the new guy.

In going through the annual report for 85 from the TCP I notice that work on O'Connell was posponed until we received written assurance from Unified. To my knowledge that has not happened which to me makes it more imparitive that we change how we spend the money.

I s till think we should buy the package of portable equipment I suggested for the original reasons I stated. I know that there is concern about ownership, storage, use, maintenance, etc. At this point we could simply loan the equipment to Unified, but we keep ownership. Let them place it in the AV office or bi-lingual, or where they want it. Let them decide policy on scheduling it, training, check out, etc. If they need some training we would be glad to provide one training session.

The su b committee is also concerned that the equipment be used. We could ask to see tapes that Unified has produced 6 months after we loan them the equipment. If they have not been using the equipment we could take it back and loan it to someone who would use it.

I a lso realize this is a form of seed money. It could be hoped that by buying lights for O'Connell this would make Unified commit themselves to making O'k onnell a working studio. But this would be a commitment for at least $300,000, which is probably unreasonable.

However, by providing a good 3/4 inch portable unit they can only do single shot programs. But o nce they have the portable equipment Unified could make a commitment of about $20,000 (much easier than a commitment of $300,000) for an editor which would greatly increase the versitility of the portable unit and increase the types of shows they can do. If Unified does not buy an editor then we know they really have no interest or commitment at this time.

OVER

GOVERNING BOARD: Ernest "Chuck" Ayala, President • Rev. Amos C. Brown, Sr., Vice President
Robert E. Burton • John Riordan • Julie Tang • Dr. Tim Wolfred • Alan S. Wong
Hilary Hsu, Chancellor Superintendent

PUBLIC ACCESS SUBCOMMITTEE STAFF REPORT
AUGUST/SEPTEMBER 1986

9/18/86

PROGRAMMING

1. League of Women Voters cablecast their first Channel 25 program "Confronting the Issues" on Tuesday, September 11th at 9:00 p.m. The topic for the first program was the Downtown initiative. The League lead a debate among people with opposing viewpoints. There were no major technical problems, and the League will produce another program in October.

2. Black Students in Media have reactivated their programming plans and 10 students completed the Viacom Channel 25 workshop.

COMMUNITY OUTREACH

1. Forty-three non-profit and community organizations requested a time slot for the TPC/Viacom Cable Channel 25 PSA Day on October 3rd. We are only able to accommodate 15 groups on that date. I am currently discussing the feasibility of doing another PSA Day in November with Channel 25 staff and volunteers to accommodate other groups.

2. A new updated brochure and promotional flyers were drafted and will be presented at the next TPC meeting in October.

3. Sent out notices and answered phone calls regarding the Culture and Recreation Committee hearing of August 27th.

4. Responded to inquiries from the public regarding recommendations for changes in the franchise. Met with the Public Access Producers' Association to discuss their proposal.

5. Contacted groups in the non-profit public access proposal to update them about Culture and Recreation hearing.

6. Placed a free ad in the Bay Area Video Coalition's newsletter soliciting volunteers to assist with new Channel 25 programs and PSA Day. Answered all phone inquiries.

7. Conducted a studio tour for new volunteers on September 16th.

ADMINISTRATIVE

1. Researched and compiled information about other non-profit public access corporations' financial arrangements. Prepared a report for the Public Access Subcommittee.

2. Updated mailing list.

3. Attended a Bay Area Lawyers for the Arts one-day workshop on non-profit management.

PROBLEMS/CONCERNS

1. The Institute for Black Family Studies wants to make a $200 community donation towards the Viacom $25,000 community grant for the development of Black programming on Channel 25 with the Black Students in Media association. Can this be considered a community contribution? How shall I respond to their letter?

2. The Bay Area Video Coalition has offered to give $3,000 worth of in-kind equipment rental as a part of a public access training program that the Subcommittee is setting up. Can this be considered a "community" contribution?

EVALUATION

1. Since I spent this past month preparing for the Culture and Recreation Committee hearing and preparing a report, I have not spent much time on assisting community groups develop new programs for Channel 25.

The Institute for the Advanced Study of Black Family Life and Culture

Emily Pike, Chairperson
Telecommunications Policy Committee
1182 Market St.
Room 421
San Francisco, Calif., 94102

The Institute wishes to give a grant of $195.00 to the Telecomunications Policy Committee to be used for the development of Black Community programing by the Black Students in the Media at San Francisco State University. It is our understanding that this money will be matched with funds from the $25,000 in community grants given by Viacom.

Sincerely

Wade W. Nobles PhD
Executive Director

"Service through Science"

P.O. Box 24739
Oakland, California 94623

155 Filbert Street Suite #202
Oakland, California 94607
(415) 836-3245

You are invited to take part in

Community Access

Cable Channel 25's

PSA DAY!

Friday, October 3rd
1-5 P.M.

Community Access Channel 25
will videotape your organization's
30- or 60-second Public Service Announcement
in studio at **NO COST!**
The PSA's will be aired on Channel 25
continuously throughout the month of October.

HOW TO PARTICIPATE:

- You **must** sign up no later than September 15. Space is limited. To sign up call 621-4224.
- You must prepare your own script and on-camera talent. If you need help writing your script, call 621-4224.

QUESTIONS? CALL 621-4224

Sponsored by the Public Access Subcommittee of the Telecommunications Policy Committee, City of San Francisco, and Viacom Cablevision.

C+R 8/27

Asked us to expl the fears of est a NPO –
wkg w community grps –
Interim Bd of 17
Outlines func
– outreach, fundg

Comm org input
fdg
accountability to TPC + BS
Great deal from .2% ff – access development
25,000 matching funds – raised from NPO
Singsen can also address

Silver – Item #2 – mgmt audit called @ same time
Tied up w op of CTPC
Ward – Would rather not
Distinct enough, would like to isolate

Mol – Item #1 – one brief remark re, #2:
After testimony – held one mo. – some comments + suggestions

Jackson, NAACP
Jeff Greenberger – SF Labor Council
↑ tv access to various comm
hv little
improve Ch 25
Cece Duffer – Arts Commission "On Award" Benefit of Ch 25 to comm
Now wkg for PBS + TV ops
Enhance Ch 25
Fred. South – Exec Dir media Alliance
Support whole-heartedly
Currently Ch 25 shows – talent greater than V's resources.
Jim Yee – NAATA
– ongoing
Erin Brennan – nt bureaucracy – put $ in eqmt – Hearing should be on Ch. 25 – TPC
Exec Com mtgs etc in private
? – Fort Mason dir. – NPO w result in better eqmt, more

Fort Mason has NPOs
~~NPOs~~ + Hundreds + hundreds use it

Lee Negerson - former Ch 25 producer
need for NPO
wants assurances that pro w hv a priority to get in there
wants neg. programmers to work w comm orgs
No new idea - George, Lee, Lucio + 3 or 4 others
-over 10 yrs.
Not a 2 yr recent idea.

Delacruz - Local Communications
"Int'l Hotel"
NPO - Ch 25 - Guided tour - eqmt not up to talen

Reginald Major - Black Studies, SF State
one of needs is for alternate kinds of tr
Narrow bottleneck for students
Supports creation of npo
esp for 3d World students who

EW Wainwright - Ind. producer
Baltimore, MD Task Force
Potrero Hill N'b Hd House - serves a lg cult + eco deprived community
Improve qual of life

Michael Spain - supports est of npo
does nt want org - or bureaucracy -
entities now there hv refused
TPC brought a proposal
members appointed by you after work agst
Funding - p 8, No. 3
orig document changed - the TPC w approp funds from the access dev funds for the PAC.
"Added by Chair"
Footrace - prevents any group from getting ahead.
Why for M/E - they should come for own progs.
He feels PAccess suffers from politically - balance is in favor of mun. + ed access on TPC.

Silves - We are dealing in a hearing, just been put in the file - Kennedy? One was delivered to all members of

Silver: Tho we can discuss it, if it's not been available to the public -

Spain: Powers that be on TPC - wish to place PA in a defensive position - only plc where muni/ed
Obvi. looking 5g range, bc pub ac are to overwhelming -
to upgr ch. 25 would need an immense amt of capital.
Was amended by TPC.

Silver - "The document" — Apr. 18
In fact not a copy in the file, now is.
So not been a pub. document
Pt out again - language
#3, p. 8 -
"in near balanced proportions"
Sounds strange bc NPO was supposed to raise $.
As a fundraiser, make $ available, not be funded.

Esteves - was meant to be inclusionary -
Every yr TPC tells you
Tells you would be seeking funds

Silver - Why need $ from City.

Esteves - need $ for farsg
Prod grants program

Silver - Doesn't yr ~~comm~~ TPC do that

RE That was proposed, but's held in abeyance

Silver - But TPC never done grants

RE Spain - Orig for prog + dev - this is the dev.
- very little used for prog
For ns users is, the low-grade studio
main concern
This would nt come to this if anything comparable -
some cable ops
V. seen no comm respon

Silver - Complaint we've heard often - Eqmt + op of Ch 25 nt as hi grade + qual as ind prod. would like it to be
Under law, contract w V. rewritten every 3 yrs -
TPC mkg a rec. to V. that thgs be done - if TPC does agree

you are preparing a rec. – in a formal way, V. w/ say yes or no, if V. says no, you w/ bring a report to the Bd, we w/ eval – V. as pt of yr next contract, then put into bill of next Rate paying system. This is the system.

At that time, more concerned w/ wiring issues.

Has yr com made a spec rec to ~~the~~ V, what has is, when –

RE Status of that procedure

RE – 1st Thg technical audit, then
Subcom drafted a complete list,
Pub hearings incl. pub comment
+ Subcom – That

Proj. date November

Silver - must make a formal presentation → via com → yes or no → TPC → C+R as a report

Rhonda Plank – City Voices - meet w/ journalists of local newspa

Kelsey - process that TPC is supposed to go –
We asked City Attz whether or no TPC –
Answer to TPC is no, advisory committee
No authority to negotiate
BS - get clear from City Attz
Hist. we w/ sat down w/ GM of operations
Bnt now we no longer deal w/ Senior S Officers
nt as easily done

Mr. Kurtz - Checking his file – pls get a copy of legis –
Wonld like to discuss w/ Silver.
Also has a ltr to show – to explain the powers.
~~Sign ltr~~

Singpen - heads f. Section on window

Ahern - spoke on behalf of PAPA
not. capacities – feel active members of the public

Support proposal
One suggestion -
Bd of Dir - 25% to should be drawn from active, experienced producers.
Ch 25 is a television station - only one under control of City/County - every org needs someone to run it - no org dedicated to it - V. dedicated some fac + staff
Dist nt a priority.
V - not actively promoting - outreach
V. Gwide - does nt list Ch 25
V - not enough room to list in Evening at a Glance
V. agreed to prov. Ch 25 in its f.

Ch 25 needs an org to promote & dev. it
PBPA inv. in input to f. As - support suggested changes in The f.
looking for basic, func. op. eqmt + adequate space
Implied by f. + should be delivered.
Re. TPC proposal - envisages a wide range -
SF Union comm nt included.

Silver TPC taking a position re listing in Guidebook.

John Bergstrom - Viacom - Ch. 6 also dropped from grid
Ch 25 listed in main text of guide + given space

Silver - Gd on daily basis ?
B: 2 pts - Grid, one text, primetime prog. is listed in main text.

Ahern - wants to respond

Gaboury - Whole Space Show.
Affects qual of life of SF
NFLD 10th A.
Other cities - Tucson, AZ - dvlp of prog
Access fac. - why? Budget - $600K/yr - 400K in fac 200K in prog. grants
From f. fee => TCCC, ran w. vol. engineering - pd staff - studio suites.
Prog improved drastically.
Free Speech

Julie Miller : no $ to producers
no neg body w/ V.

4 from Seattle : pco from V. very supported
tried process diff
shows - content excellent, eq lacks
Yakima / WA -
nonprofit set-up
positive - nat'l known shows
good concept

Brad Paul - No. Mkt Planning Coalition
Attended NFLCP
saw 4 hrs of best PA tv
Exciting
Dealg w/ subj commercial tv doesn't handle

James Anthony - Following for a yr
In favor of NPO
~~Cable~~
Raising funds is important, but more important is who is advocate
City is regulator
Where access wkg - City, co, npo
Some active org to support + advocate
Ames tradition Civic resp + pub discourse
Write a mission statement into f.
ATC, Oceanic, V in Mtn View -
profit co not incapable
Might approach City in seeking funds
Come from ratepayers same as 1½ m to City
Some confusion as to who neg?

Silver - The confusion was here. - TPC was correct
C+R, the Bd w/ decide whether TPC recommendations are appro + forward to City Attz.
Hearing w/ occur after TPC makes rec to us.

Kurtz - Is correct - "fact finder" - cannot be City's negotiator
Full Bd w/ hr to act

C+R cannot act by itself / C+R sends res to full BS.

R. Abrams - member TPC
2/12 yrs re. NPO
Interest orig w BS members
Always prevailing interest was frig
Main reason to meet V. $25,000/yr
At that time, BS nt alloc. .2% /yr
Bc .2% has enabled TPC to do many Things
thru a committee + a staff to do This.
In Feb. proposal re. fundrsg sent it back w
a broader mandate
~~Not~~ Spoke as an individual -
Rethink mandate
We now have .2% - being done by TPC or TPC
staff - Report by A-Torrice ~~Same~~ - programs +
orgs contacted - hv done thru the TPC + training
ops + grant ops out of .2%.

p.8.
Accountability - independent entity - no accountable
a acctg for B funds
Fundrsg needs w not be taken away even w funds
Give it a mandate it can do. —
Fundraising w quantifiable goals.
Do not duplicate ~~or~~ function of TPC
Her concern - noble idea, noble papers.
In Grun - accountable to a pub body
TPC w/ org, grown tremendously
Prog for success w a narrow definition.

S. Kelsey - member TPC
- deferred until Silver returns.

Bernstein - Ch. 6 - talk agst NPO
Ch. 25 always been center of controversy.
But also divessity - shows cause eyebrows
Has noticed a Δ in attitude by V. to Ch. 25
Air cond. installed
Last yr - Ch 6 + 25 moved together.
Add staff hired.
- Ch-6 engineers try to keep eq not workable

Eqmt old - 3 yrs -
Eval. maintanence + replacemt
Co-founder Cable Access Corp to raise funds.
A lot of infighting by pro who want to produce shows
Motivated by self interest
Another level of bus.

Jorge Bustamante
No respect for community
No respect for producers
Change the rules.

Ahern - Ch. 6 listed up until July -
Now decided to highlight Ch 6.
Ch 6 also pt of V's commitment to local prog.
in name of.
Respond to RA -
By TPC recommendation,
looked in community + inherently designed to be
accountable to community -
As far as duplication to TPC - does not promote outreach -
not an adequate response - too big a job
What is needed is not now in existance.

Jean Papilla -
Has worked in 74-76 w. V - PA Union City, San
Leandro, Alameda, Oakland
Thinks fac is inadequate technical
Sev. yrs prof experience - Ch 2 ph 9, McKuhn
Their eqmt inadequate.
He agrees w some policies set forth
Thinks it should be taken out of hands.
Prob is hearings today not videotaped
Not easily done
Should be on cablecast, indicates a prob

Debra Howard - Acting access coor
Day to day op. Ch 25
76 progr - 13 produced in house

37-44 prod use studio
Hr edit fac
Aug - 19 edtg sessions w
4 days down time
- 5 remote rentals
- workshops , one - 3/mo w 16 pco/workshops.
42 productions in studio, 4 remotes, 2 workshops

Procedure - open on 1st come - 1st serve

We are re-eval + upgrading eqmt
Purchased ~~Ok-2~~ deck +
phone line intercom system
Hours of operation for office 10a - 10p
Production hrs 4p - —p
Staff - 2 people, depend heavily on vols.
2p-10p Cablecasting hrs.
4:30-7 Sat

As of mar - 36 1/2 hr prog LO
42 prod. elsewhere
Cablecast on Com BBd - on times not on air
76 reg sched
54 - cab
19 - biweekly

12% - 2x a week

70% - 1/2 hr long
7% - one hr
1% -

44 prod w fac elsewhere
45%
~~##~~ entertnmt
22% news
16% polit
7% are pub affairs

Cams were purch 10 yrs ago.

Prob w/ pers well-trained w/ mgmt

Mary LaBeck - vol. @ Ch 25
Experience quite good
Very impressed able to do This
Needs to be an increased awareness of Ch 25
Good step to be listed in Cablevision

Int. Kelsey - Says Silver in her office or close + take #2
Public Hearing closed -
We're going to continue for one month

Thank you -
Silver returns

Kelsey (#1) Wants to encourage Sup. to consider mgmt audit
& npo mutually exclusive
Far from whether or nt TPC exists.
PAC stands on its own - TPC w/ hv to answer to its
failings + glory in its successes.

(#2) Personal privilege - rumors about 2 members -
that Nair + I have some vested interest.
Took as a public trust
Garage left on Potrero Hill 10 yrs ago
Esteves pt of Task Force 10 yrs ago
Almost Same recommendation
Nothing new.

(#3) TPC or Bd cannot force to do anything -
Neg - mutually beneficial
Everybody wins situation
Law provides for negotiations
Friendly, amicable fashion
566 - No demands upon V.
Looking for a partnership

In most cities, some kind of a partnership

On issue, who will run it, etc -
Plan says there are areas of accountability
Passed dw.
In other cities, co. continues to give support, altho relinquished control gradually
Time controversy - greatest unity
Growing pains over 10 yrs
Ch. 25 not a profit center
Why not share the burden?

A npo can get Grants
Kennedy - Moves continue for one mo.
Silver - Request to City Atty
(#1) language has problems
Pls interpret "demo com needs"
Does that incl. add. funds for Ch 25
Change in tech, eqmt, or procedures
or in other pub. access
Opinion be delivered to TPC + CTR before consider again.

(#2) In f. - notation - in add. to spec resps of TPC
There are resps not spelled out in f. - thinks it would be important to see that one document in which everything is summarized when application

Exceedingly confusing

(#3) Send a ltr to V. from CTR requesting in its progs equal time + space be given as to other channels
Playboy Ch should not be add. more heavily.

Somewhat surprised to read City Atty - 8-13 "V. has recently indic it has set its own rates w/o BS approval", i.e. no control over whole matter - lose bargaining power -
Kurtz yes, his understanding
Prepared to go to bat - will defend whatever interest the
Ch. 1

Request a hearing on the issue?
Should City initiate litigation -
Closed session -

Request City Atty review That issue.
Believes appro for litigation

Silver Re. separate corporation set up.
Esteves? That it would be ind of the Bd -
It's own Bd of Dir.
The only control Bd w/ have is to be
allocation of .2% of fi
Then why necessary to take any action
Why doesn't it create itself?
RE Based on historical perspective -
TPC charged to investigate a NPO w. feasibility
The Interim Bd would be the creators
Silver - 2 entities -
TPC + NPO ?

C+R
AT reg mtg - in Oct

Call Item # 3 to table; Item # 4 heard @ next week - 1st Tue of
Item #2
Silver - Esteves should defer to

D. Newman - BA + Kate Harrison be request Sup. Molinari
w. to ea of them

1
i) Dev of CTPC goals - not dev a master plan or priorities
- scattered - BS cannot m
∴ TPC dev 3yr master plan, priorities, timelines
+ Subcom objs for staff
Set a MBO prog - reviewed by mayor + BS
w. prog
2) Construc + complaint monitoring -
Overlap CAO / TPC
Data collection, information, + proc of reg. complain

TPC - cont. monitoring of complaints -
w/ resp. for compliance b/c in CAO's office
Reports on discrepancies

3) 2 budgets, 2 sources, 2 fiscal agents
Prevents Mayor + BS
No review of access fund expenditures by City
CTPC plc access dev - July 1-30 basis
+ incl. as pt of total of
Eliminate need of fiscal agents
All monies thru Controller's office
All grants thru BS
Their analysis said not $3,000 - TPC did request payment
Bc of delay 6,500 in interest revenue forfeited.
We rec. a procedure be est. immediately
Auto. 4.8%
V. provide future proj.

4) Mgmt of TPC - staff nt supv direction - nt used to
fulfill prof capacity; pt time vol citizens -
cannot legly discipline their staff
Has stopped them in rec.
Staff be reassigned to CAO staff
Didn't believe Clerk of Bd be legis.
Reorg w/
Would allow CTPC to come on policy

5) F. provisions imprecise - confusion be clarified

Silver - Q - re: moving monitoring function into CAO
Why CAO? Why not to TPC?
Kate - Good effort, limited by citizens' pt-time mgmt resp.
Silver - Every Commission in this City does -
- One distinction -
- No one person functions - no supv. resp. - Why not -
wouldn't be 1st Rec?
KH - Variety of clerical staff - greater cost than moving
Silver - Reason is it needs more staff

No increase in budget
CAO has capability - already responsible
CAO data collection is duplicative

Estevez - We've never been given the job to take complaints - never been in f., due to nature, we've been getting complaints
Audit As relationship, & yet says rather than Clerk of the Bd
We R to be taking on greater resp.
One staff should only be 1/2 time & 1/2 time secretarial positions. - Some problems.

Municipal / Ed / Pub. - policy dev. coordinator - great discomfort under CAO.
Does this mean CAO resp for 3 Chs? - not as clear as consumer complaints + monitoring.

Silver: BA report - not met in private
BAct you can meet in private - when we met in Exec sessions, since staff contracted to TPC.
~~Not had the occasion to~~
Silver Consult w City Atty

Silver Save testimony

James A - Get from Clerk's office
In file, recommendations

Spain:
Oct - 1st Th.

SF
T45
#2
10/14/86

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SF Telecommunications Policy Committee

MINUTES OF THE MEETING OF OCTOBER 14, 1986

CALL TO ORDER AND ROLL CALL

The Vice Chair (Esteves) called the monthly meeting to order at 4:00 p.m. at the Committee's office at 1182 Market Street. Chair Emily Pike, was not present due to an excused absence following an accident which requires an extensive amount of leave.

Members present: Rhonda Abrams, Roberto Esteves, George Kelsey, Hal Layer, Will Leong, Sue Levitin, and Michael Singsen were present.

Members absent: Gwen Dilworth-Battle and Emily Pike were absent.

Staff present: Dick Hoss; Contractors: Connie Brand, Andrea Torrice;

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The agenda was adopted and the minutes of the September 18th monthly meeting were approved.

THE EXECUTIVE COMMITTEE REPORT

A review of progress on the July 20th retreat's mandate for development of a three-year plan was postponed pending more detailed subcommittee action.

George Kelsey's inquiry about the TPC's ability to pay travel expenses if he is elected as NFLCP Far-West representative was referred to the Executive Committee.

Abrams asked if the staff can cut down on the amount of TPC material mailed to members. A consensus developed that staff should use its knowledge of what items are of interest to members and only mail essential notices and action items to members who are not interested in journal articles and the like. Action items will be identified as such.

THE VIACOM CABLEVISION REPORT

Sue Levitin reported that construction in the **Upper Fillmore** wiring district is complete and has been referred to Viacom Cablevision's marketing division.

All trenching in the **Pacific Heights** wiring area is complete except for Pacific Avenue.

In the **Hunters' Point** area, Viacom Cablevision is placing cable on the poles and doing underground work in the apartment complexes.

Levitin concluded the wiring report by reporting that part of the 1987 build has commenced this year. The **Cathedral Hill** area is part of the 1987 build. Engineering and design for the area have been completed and Viacom Cablevision has applied for permits. It will start laying cable around November 1st.

In the **North of Market** area, near the Civic Center, Viacom Cablevision has completed engineering and design for the work which is the second project in the 1987 build.

Channel 25 Equipment -- A Status Report

Levitin reported that parts are on order to correct an intermittent fading problem on the video switcher.

The spare camera, which was reported in September as damaged by users, was returned from the service center and will be used as a remote camera.

Studio camera #3 is being analyzed to determine the nature of an intermittent glitch. The diagnosis will determine the nature of the repair.

Public access cameras are set up each morning by a technician, tested and fine tuned before the first production of the day.

.....

A discussion ensued which included an inquiry as to how much of the City does not have access to cable tv; the need for redoing the wiring area maps after the next quarterly report; the fact that trenching costs $300,000 per trench mile; and a complimentary remark about the absence of complaints about construction damage.

In response to questions, Levitin reported that Viacom Cablevision will not activate 52 channels immediately upon completion of construction; and she does not know whether or not Viacom Cablevision is contemplating a rate increase in the near future.

Levitin was asked to find out how old the public

access equipment is.

POLICY COMMITTEE

Chair Rhonda Abrams reported that the Policy Committee did not deal with the substance of franchise revision and did not undertake a censorial or an editorial role except for a comment on how requests for donated equipment may violate the 5% cap. The Policy Committee construed its role to consist of putting compiled recommendations into franchise language.

A discussion ensued as to whether the suggestions could be integrated in a single document and whether or not inclusion of the various subcommittee recommendations in a single document will give rise to conflicts within franchise sections. Abrams reported that differences in the Public Access Subcommittee and the Public Access Producers' Association proposals were the only barrier to a single integrated document.

Abrams reported that the Policy Committee recommended including the suggestion that building owners in the construction path receive more explicit notice into the rate ordinance.

Esteves recommended sending the TPC's compilations to the City Attorney's office for review and comments on feasibility of proposals. He thought that the Board of

Supervisors should receive all of the recommendations compiled.

A discussion ensued as to inclusion of recommendations from the management audit report. The TPC agreed that the recommendations on franchise specificity shall be included in the integrated document along with all other recommendations that are franchise orientated. The suggestion that the TPC be included in the CAO's office was cited as an example of a recommendation which involves the budgetary process rather than the franchise.

The TPC noted that the Committee on Culture and Recreation reviewed the audit report at its meeting on August 27th; and can be presumed to know its full contents and understand its possible application to the franchise revision discussions.

The TPC agreed that the document must be available to the public in advance of the Board of Supervisors' hearing.

Members referred to the City Attorney's letter holding that the TPC is not a negotiating body and the consensus was not to veer into the arena of negotiation but to pass on the various recommendations so that the Board of Supervisors will know the full range of proposals.

A difference of opinion developed as to whether the TPC should go through the compilation and vote on each proposals.

Kelsey expressed the opinion that the Board expects the TPC to go through the package and make its own recommendations. Opinions were also expressed that a line-by-line examination would lead to an undue display of divisiveness and that the TPC should forward the compilation as its findings rather than its recommendations. Some members felt that the Board of Supervisors doesn't want split-vote advice.

A member read aloud the Section 25b charge which states that, at three-year intervals, the TPC shall propose changes in the franchise agreement and shall present its recommendations for amendments to the Board of Supervisors.

MOTION: The TPC shall prepare a single integrated document containing all of the compiled franchise revision recommendations and send them to the City Attorney's office for review. Copies shall be sent to the President of the Board of Supervisors and to members of the Committee on Culture and Recreation. Copies shall be offered to all other members of the Board of Supervisors Seconded and carried.

A discussion ensued as to whether lack of endorsement of the report's contents would be construed as an indication of conflict and would be viewed as mixed signals. The TPC agreed that the letter of transmittal will accurately characterize the source of the

recommendations and will include an inquiry as to whether the Committee wants the TPC to vote on each recommendation.

Some members of the TPC wanted to devote half-an-hour to reviewing the compilations. A consensus developed that the November monthly meeting would be a better forum in which to discuss the package because more information would then be available as to the Committee's expectations from the TPC.

THE CONSUMER SERVICES SUBCOMMITTEE REPORT

The Co-Chairs (Layer and Levitin) reviewed work in progress. Mr. Aubrey Harris is preparing new specifications which will include the TPC's concern with the system's two-way transmission capability.

The Subcommittee report turned to the foreign-language speaking and bilingual subscribers' survey appropriation. Layer reported that he is somewhat skeptical about the value of such a survey pending a conclusion about its purpose. The Subcommittee has discussed establishing an ad hoc committee to formulate questions and hear concerns.

Leong asked for a full discussion of the survey prior to any discussion about reallocating the money.

The window-period hearing was cited as a good opportunity for the TPC to report in full on its conclusion that annual polling isn't warranted.

THE EDUCATIONAL ACCESS SUBCOMMITTEE REPORT

Will Leong reported that Subcommittee's concerns are the John O'Connell High School studio project and the development of a three-year plan. He reported that SFUSD Superintendent Ramon Cortines wrote a letter, dated September 4th, formally acknowledging the acceptance of a proposed grant of $19,000 to improve the studio's lighting system. The Subcommittee is concerned with the contents of an agreement for access to the facility.

The TPC agreed that a strong written agreement is required and that it must ensure that the studio is open for municipal access use as well as educational. The TPC will seek a stronger commitment as to what SFUSD will do with the studio; and may try to build a contract around the educational access three-year plan.

Members acknowledged that the unavailability of additional channels until after 1988 complicates the quest for assurances by other agencies of what they will do between now and 1989.

THE MUNICIPAL SERVICES SUBCOMMITTEE REPORT

Esteves (Chair) reported that the Subcommittee met several hours ago to consider resolutions; discuss a three-year plan; and to consider the establishment of workshops including script writing.

The Subcommittee approved a resolution calling upon the TPC to set up a municipal access fund through the Controller for handling of income generated from video use, rental or other sources. The funds are to be used solely for City audio and video production purposes.

The Subcommittee approved a second resolution containing a facilities and equipment proposal for inclusion in the franchise. Hoss is to include the request in the integrated package.

A third motion dealt with the Subcommittee's intent to upgrade the John O'Connell High School studio on a joint basis with the Educational Access Subcommittee. The motion included a requirement that hardware installed as part of the building be maintained by the SFUSD and that removable property be identified as the property of the appropriate access subcommittee. The motion was referred to the Educational Access Subcommittee.

A question was raised about maintenance and repair of equipment at the studio and the Subcommittee was directed to take the problem into account.

MOTION: The TPC approves action required to establish a Controllers' account to handle funds generated from video use, rental or other sources. The funds are to be used solely for City audio and video production purposes. Seconded and carried.

THE PUBLIC ACCESS SUBCOMMITTEE REPORT

Singsen reported on a recent meeting with Supervisors Ward and Silver concerning the formation of a non-profit access organization. He said that Supervisor Silver was not supportive of a non-profit organization and not supportive of spending City money on it.

Singsen referred to the arguments advanced by Mr. Henry Geller, a former FCC member, to the effect that cities should act now to avoid future law suits by proceeding to allocate more franchise tax proceeds to cable related purposes. He expressed the notion that the City could avoid future problems arising from the use of most of the cable revenue for general funds purposes by allocating a portion of the proceeds to fund a non-profit organization.

In response to a question, Singsen said that the interim board proposal is not a dead issue. Supervisor Ward has requested the TPC to work through the non-profit issues in a series of meetings with Viacom Cablevision and others in an attempt to come to some mutual ground.

Andrea Torrice reported on PSA (Public Service Announcement) Day developments.

Torrice reported on KPIX's donation of 3/4" tapes to Channel 25. A discussion ensued about the quest for donations from broadcast companies to Channel 25. Abrams

offered to help draft a letter of solicitation which will include a reference to tax treatment.

The access development budget cycle was discussed. Esteves reported that budgets are due to be heard by the Committee on Culture and Recreation in December. The subcommittees will submit a January 1, 1987 - June 30, 1987 budget and also a budget for FY 1987-88. He said that the TPC will be asked to approve the budgets at its November meeting.

The Viacom Cablevision matching fund issue was discussed in some detail. Brand reported that the Educational Access Subcommittee wants 1/3 of the access development funds.

ADJOURNMENT

The Chair announced that the TPC's next monthly meeting will be held on November 24th at 4:00 p.m.

The Committee adjourned at 6:15 p.m.

SF
T45
#6
1/24/86

CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 • TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

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AGENDA FOR THE MONTHLY MEETING OF NOVEMBER 24, 1986

I. Call to order at 4 p.m.; adoption of the agenda; and approval of the October 14th monthly meeting minutes

II. The Executive Committee Report

The "Three-Year Window Period" hearing schedule and a discussion of whether or not recommendations are required

Presentation of the TPC's budget and a request for approval -- combined budget to include the General Funds budget for FY 1987-88; the access development budget for January 1, 1987 - June 30, 1987, and the access development budget for Fiscal 1987-88

Request for a commitment to complete the annual report and submit it for approval at the December monthly meeting

III. The Viacom Cablevision Report

IV. The Consumer Services Subcommittee Report

V. The Educational Access Subcommittee Report

VI. The Municipal Services Subcommittee Report

VII. The Policy Committee Report

VIII. The Public Access Subcommittee Report

IX. New Business

X. Adjournment

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CITY ATTORNEY

LOUISE H. RENNE CITY ATTORNEY

214 Van Ness Avenue
San Francisco, California 94102-4574
(415) 864-1952

Leonard L. Snaider
Deputy City Attorneys

591p

Ref.: WA0350/86

MEMORANDUM

September 15, 1986

TO: WILLIE B. KENNEDY
Supervisor

FROM: LEONARD L. SNAIDER
Deputy City Attorney

RE: VIACOM FRANCHISE AGREEMENT
Board of Supervisors File No. 32-86-1

In your memo of August 27, 1986, you asked for advice on the procedures for review of the Viacom franchise. This memo will generally describe the procedures for changing a franchise both as a general matter and within the so-called three-year review period. In addition, it will discuss the substantive standards for any franchise changes.

I. General Authority to Change Franchises

A franchise is both a contract between the City and the Franchisee (in this case Viacom) and a City ordinance. Unlike a normal City ordinance that can be amended or rescinded at any time by the City, a franchise, in general, can only be changed with the consent of both contracting parties - Viacom and the City. This type of mutual change can be made at any time. Our particular franchise with Viacom provides City the authority to make limited changes once every three years. The next section of this memo will describe procedurally how these changes must be made and what type of substantive changes are permitted.

II. Procedures for Franchise Changes

Section 25B of the Viacom franchise provides that at three-year intervals the Telecommunications Policy Committee may propose changes in the franchise agreement to the Board of Supervisors. The Committee must make its recommendation to the Board by December 1 of the review year. After the Committee makes its recommendations to the Board, the Board would consider these recommendations in the same manner it would consider proposed legislation. The proposals would initially be heard by the Culture and Recreation Committee and, if warranted, then be presented to the full Board for action. The Board would act as it would on any other ordinance. Two readings would be required. The franchise indicates that any Board action must be accomplished "within reasonable time period." There is no definition of this, but the normal time for hearing legislation would certainly be appropriate. The idea of this restriction was that the Board should attempt to analyze any franchise change and either accept it or reject it in a matter of months, and not during the entire three years before the next period for review. Procedurally, the franchise review is quite standard. The actual limit on what types of franchise changes can be enacted is quite stringent. The substantive standards will be addressed in the final section.

III. Substantive Standards for Franchise Review

Section 25B of the franchise narrowly limits the type of amendments that the City can make to the franchise during the three-year period. It specifically states, "Amendments shall reflect service requirement changes based on advances in technology or demonstrated community needs. They shall be substantive in nature affecting a significant number of subscribers and shall be within the authority of the City and County of San Francisco". It is also provided, if compliance with franchise requirements have a significant negative financial impact upon the grantee, rate revisions will be made reflecting the cost of the compliance "provided such rates and service modifications are in the best interest of existing subscribers". These provisions significantly limit the type

of changes that can be made, and require that there be strong evidence to justify the changes. The franchise further provides that if the Board does act, and Viacom objects, disputes or questions its "interpretation of the section, the matter will be decided by arbitration, as outlined in the Section 17C."

These factors indicate the narrowness of the type of amendments that can be enacted and the necessity for a strong evidentiary record. At this time, we are unaware of any specific proposals to amend the franchise, but we will advise you on applicability of the franchise standards of any proposals upon request.

L. L. S.

LLS:mg

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CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 · TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

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MINUTES OF THE MEETING OF NOVEMBER 24, 1986

CALL TO ORDER AND ROLL CALL

The Vice Chair (Esteves) called the monthly meeting to order at 4:00 p.m. at the Committee's office at 1182 Market Street. Chair Emily Pike was not present due to an excused absence following an accident which requires an extensive amount of leave.

Members present: Rhonda Abrams, Gwen Dilworth-Battle, Roberto Esteves, Hal Layer, Will Leong, Sue Levitin, and Michael Singsen were present.

Members absent: George Kelsey and Emily Pike were absent.

Staff present: Dick Hoss; Contractors: Connie Brand, Andrea Torrice

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The agenda was adopted and the minutes of the October 14th monthly meeting were approved.

THE EXECUTIVE COMMITTEE REPORT

Esteves reported on developments concerning the franchise window period proceedings. His remarks were based on a five-page memorandum (attached), dated November 18th, which Esteves wrote to the TPC concerning his meeting the previous day with Mr. Len Snaider and were based on Mr. Snaider's letter of November 24th (attached).

The Esteves memo set forth his recollection of Snaider's comments on the ideas included in the

window document and his conclusions as to whether or not various proposals qualified as window recommendations per se. Unilateral changes must be within the scope set by Section 25b and must be supported by evidence.

Mr. Snaider's November 24th letter concluded that the findings document satisfies the TPC's obligation to make recommendations by December 1st of every third year. The findings document was sent to the Board on October 30th. Snaider suggested February or March as the proper time for a Board hearing.

MOTION: The TPC shall advise the Committee on Culture and Recreation, by letter, that the window period findings should be set for hearing in January or February. Mr. Snaider's letter shall be attached. Seconded and carried.

Esteves asked for and received authority to have the staff work with Abrams and Snaider and do whatever is required to separate the recommendations into categories.

The General Fund Budget

The TPC took up a single page document, dated November 24th, which requested $74,678 in general funds -- an amount which is $24,582 lesser than the present year's funding. A discussion about money for surveys ensued. The FY 1988 request does not include a request for survey money because $17,500 of the "never subscribed" survey funds was carried-over into the present fiscal year and because the TPC was

given $24,000 this year for a study of homes where english is not the primary language spoken.

The TPC concluded that $1,054 requested for a contract to maintain the new Wang word processor is unnecessary because few problems develop the first year. The requested funds will be put into office machine maintenance in connection with a copy machine and other equipment. The travel request was reduced by $100. Hoss explained increases in "Materials and Supplies" and "Postage" and in "Other Current Services" by describing the agreement to pay for much of the access development overhead with general funds. Staff was directed to delete the transfer payment to the Real Estate Department if possible. The TPC directed that a copy machine be budgeted.

MOTION: The TPC's budget shall be set forth in an integrated document which shows all sources of funding. Seconded and carried.

MOTION: The TPC approves the request for General Funds, as amended at this meeting, and authorizes staff to forward the budget request to the Clerk of the Board in time to meet the December 9th deadline on departmental budget requests. Seconded and carried.

The Public Access Development Budget

The TPC took up the public access development budget and a discussion of the funds reserved by the Board ensued. Singsen reported that he was told that the funds will be released. A question was posed as to whether or

not Mr. Phil Brown's offer to do workshops should be considered. Torrice said that the TPC's workshop format has a duration more apt to meet the needs of working people than CCSF's 16 week program.

The TPC required changes in the budget which included deleting the requested office expenses because they are included in the General Fund budget. Torrice was authorized to keep the $600 requested for a typist; and to apply a 7% factor to her contract fee line.

The TPC then discussed production grants and internships. The discussion included the question of whether or not a Public Access Corporation needs to be developed first so that it may supervise the interns. Accountability was discussed in connection with an internship program funded with access development money but administered by a n.p.o. Singsen said that he wants the grants program to proceed whether or not the n.p.o. is formed.

MOTION: The TPC approves an action deleting the $6,600 from the internship line and placing the requested funds in the production grants line. Seconded and carried.

MOTION: The TPC approves the Public Access Development budget request as amended at this meeting. Seconded and carried.

MOTION: The TPC shall develop a set of criteria and policies governing the production grants program. The project is assigned to the Policy Committee. Seconded and carried.

A Executive Session

Abrams requested that the TPC convene a closed session to discuss personnel matters. The staff left the meeting room and, upon return, were told that the topic was office management and that discussion of the matter will be resumed at a later date.

The Educational Access Budget

A divergence of opinion developed about the amount of funding which educational access should receive. Esteves said that he wants to see specific proposals concerning equipment purchase/system design but that they have not been forthcoming. He questioned the allocation of equal shares for development of headends at O'Connell High School and at CCSF. Layer reported that the Educational Access Subcommittee envisions both locations as viable and plans to develop them. Dilworth-Battle described the dormant state of educational access activity in the TPC's earlier years. Singsen requested a showing that solid agreements exist with entities that are committed to developing cablecasting in accordance with the TPC plan.

Equipment purchase/system design was discussed.

MOTION: The TPC authorizes transfer of the $3,224 in Continuing Education funds to the line requesting funds for equipment purchase/systems design. Seconded and carried.

The Municipal Access Development Budget

A detailed discussion of the budget ensued. Esteves referred to the lines which would provide funds for interdepartmental programs models. He requested a change in wording.

MOTION: The TPC approves the municipal access development budget as presented and authorizes a change in wording. The interdepartmental program models shall be described as "Municipal Access Facilities Development and Programming" Seconded and carried.

General Remarks

The Committee agreed that, in view of the time consumed by budget discussion, the rest of the agenda will be deferred. Esteves announced that if the Committee on Culture and Recreation calendars the management audit, he will ask them to defer the discussion until after the TPC Executive Committee's meeting in December.

Will Leong said that he will design the integrated budget format.

Adjournment

The TPC adjourned at 6:27 p.m.

November 18, 1986

To: CTPC Committee & Staff

From: Roberto Esteves

Re: Franchise Findings: Meeting with Len Snaider 11/17

Although I am leaving tomorrow am for a trip to Washington DC and will not be back until Monday, just before our meeting, I wanted to share with you some fast and dirty notes I took while meeting with Len Snaider yesterday morning. This is a simplification of two hours of meeting...Len will follow up with a more detailed analysis in the future:

Franchise Revisions:

Two tests need to be applied: both Federal (S.66) and our local franchise.

For Federal legislation Section 622 (G) (2) (b) covers pre-Cable Act of 1984 franchises, Section 622 (G)(2)(C) covers post-Cable Act franchises. Since our franchise is pre-1984, we might be covered in section B, however, more likely since this is a "grandfathering" clause, it would not cover franchise revisions such as proposed and hence any revisions should be considered as part of Section (G)(2)(C) which limits the requests for PEG access to "facilities and equipment".

The other test is the local franchise. Section 25B is the litmus test. Specifically, any unilateral changes (requirements from the City to Viacom) must either be (1) based upon service requirement changes based on advances in technology or (2) based on demonstrated community needs. Additionally, they shall be (3) substantive in nature and (4) affect a significant number of subscribers. Needless to say, they must be (5) within the authority of the City to require.

A major criticism of the City Attorney is that "evidence" is lacking for each of the findings presented. Such evidence must be related to the Cable Act (within the authority of the City to require) and the tests of 25B.

As to specific requirement (utilizing Dick's "voting sheet"):

#1: Renumber..."non-substantive", not 25B-related

#2: Rename...Justification? Change in Administrative Code also needed

#3: Delete "annual" polling...Why? Change Administrative Code

#4: Delete "review all customer complaints".. Why? Housekeeping.

#5: Add TPC to strand maps...ok
Delete Dept. of Elec, Assessor..."Why" CTPC may be stepping on political toes by deleting other depts from franchise without contacting them first.

#6: Strand maps...easy to read format...RE: meaning?

#7: Substitute Exhibit D or Exhibit C....LS: doesn't matter legally

#8: Delete Mayor's Office... LS: no justification, may create bad impression of CTPC

#9: Add language....LS: contact CAO, clean-up language ok for franchise

#10: Substitute the TPC for CAO...LS: better to add TPC, not delete CAO

#11: Require TPC include compliance with wiring plan..LS: only two years left on plan...significant?

#12: Add language re change wiring boundaries: LS: does not fit 25B as written. Define areas to be included. Justify areas to be included.

#13: Modulated Education & Muni Access...clarifies original franchise..ok.

#14: Public Access
Need to define/justify based upon changes in circumstances for demonstrated need.

Appendix #1: capital expense...ok to request with justification
Appendix #2: capital expense...ok to request with justification
Appendix #3: not capital*
Appendix #4: not capital*
Appendix #5: not capital*
Appendix #6: not capital*
Appendix #7: not capital*
Appendix #8: not capital*
Appendix #9: not capital*
Appendix #10: not capital*
Appendix #11: not capital*

*Non-capital expense items are considered part of franchise fee requirements and may be deducted from the franchise fee by the franchisee if required by the City pursuant to the Cable Act of 1984.

#15: Public Access Corporation
a: "Shall grant recognition"...LS: has no legal meaning

City can legally recognize a non-profit in two ways:
1) appointment of members to the organization
2) funding to the organization
Both recognitions are appropriately accomplished through ordinance, not the franchise.

b: Functions of non-profit do not belong in a franchise

Additional jobs of CTPC re PAC should be added to functions section of franchise and Administrative code.

Note: Page 9b-9c: duties of TPC and PAC are confusing. a "mishmash" between TPC and PAC

"Policy A: redundant"

Overall Question: What do you want the City to do? Does the City have the authority to do it? Neither is clear in this section.

#16: Definitions of Education and Muni Access channel: LS clarify existing provision of access channels...looks like meets test of 25B too

Appendix 12: Meets capital provisions of Cable Act.
Clarifies existing requirement of provision of municipal access channel

#17: Vote for or against access to multi-unit dwellings:

Does not belong in franchise...question of people's property rights. Perhaps should be in Planning Code?

#18: Extension into new residential units

No property rights problems here.

Belongs in Planning Code, not franchise.

#19: Telephone # on Bills: ok to request

#20: CAO empowered to adjust, settle, or compromise...Yes, this is legally enforceable.

#21: Projections of franchise tax proceeds: Yes, clarification of existing provisions.

#22: Set up special funds for .2% fee
"reinsert paragraph "In absence of such resolution in a given year, the .2% of gross revenue shall be paid to the City as a franchise and permit fee." after "approved by the Board of Supervisors" page 17

#23: If $25,000 grant from Viacom is included in franchise, it becomes a City-requirement and can be deducted from franchise payments to the City.

#24: If agreement already exists between TPC and Viacom why place in franchise?

#25: "reasonably balance amount to PAC" is redundant of paragraph on preceding page, "plan shall include public, educational and municipal access funding as appropriate."

#26: TPC to raise funds for PAC...should be in functions statement, if appropriate for TPC activity

#27: Subscriber fee of $.25 per month...non-capital item?
Board needs specifications of accountability, which funds are used for which purposes, how structured, disbursed, to whom?

Need justification...willingness of subscribers to pay.

Community need? Justification that value for subscriber justifies cost.

#28: Rate Regulation & Compliance with Cable Act

The franchise is not amended with every change in Federal, and State law. Outmoded provision are automatically made obsolete and void by existing law and trying to revise the franchise to reflect every change of law is meaningless.

#29: Review of construction plan: Director of DPW works under CAO. Need justification. Should review with CAO prior to proposal.

#30: Satellite delivered....inconsequential clarification

#31: Section 21: see #28

I hope this accurately reflects Len's best legal judgement on these issues, and that I have not misquoted or misconstrued his opinions. I'm sending him a copy of this for his review for better clarification.

In the meantime, he advises that we send these finding to the

Board of Supervisors by December 1st as required by the franchise, stating that the TPC has had initial dialogue with the City Attorney's office regarding all these finding, and that we will submit recommendations for franchise changes and justifications for each in tandem with the final report by the City Attorney's Office, not later than the Culture and Recreation meeting scheduled for February, 1987.

see ya next monday,

your acting chair....roberto

ITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CITY ATTORNEY

LOUISE H. RENNE CITY ATTORNEY

14 Van Ness Avenue
an Francisco, California 94102-4574
415) 864-1952

Leonard L. Snaider
Deputy City Attorneys

M E M O R A N D U M

November 24, 1986

TO: ROBERTO ESTEVES
Acting Chair. Telecommunications Policy Committee

FROM: LEONARD SNAIDER
Deputy City Attorney

RE: FRANCHISE REVIEW

This memo is intended to briefly memorialize points discussed in our meeting of November 17. I have concluded that your October 30 proposed franchise draft to the Board can technically satisfy your obligation to make recommendations to the Board by December 1. The Board itself has no specific time restraint to act on your recommendations, and only must do so in a reasonable time. For practical purposes, significant additional work will be necessary to enable the Board to dispose of the numerous issues raised in your October 30 draft. Prior to appearing before the Board, it will be necessary to review in detail each of the individual proposals, taking into account, among other factors, various legal issues, the position of Viacom, and discussions of Viacom and members relative to formation of the Public Access Corporation, and the necessary evidence that must be presented to support each issue. Each issue should be presented to the Board individually with a final specific recommendation from the Committee. Given the diversity of issues, and complexity of these issues, these matters probably could not be reasonably put before the Board prior to February or March. Such a time schedule would not be inconsistent with the Board's need to act in a reasonable period of time.

In preparing to present these issues to the Board, it should be recognized that the range of proposals in your October 30 draft franchise present a mixed bag of issues. Some of the issues may be franchise changes that can be justified, given proper evidence, under the three-year window period. Other issues cannot be considered window issues, but are technical corrections to the franchise. Some issues, such

as change of the role of the Committee, the CAO and DPW are not specifically franchise issues but issues requiring changes in the Administrative Code. Some other issues, such as provision of access for Viacom are not franchise issues but issues that should be taken into account in other city codes to the extent they are legally permissible. Some other issues involve interpretations of the existing franchise, rather than new franchise obligations. Other important parallel events for practical reasons must be taken into account with respect to all of these issues. One is the discussion relative to formation of a Public Access Corporation. The disposition of this issue might well significantly impact other proposals. Additionally, legal implications of the draft under federal law can have substantial dollar impact. We covered all of these aspects to some limited extent in our discussions on November 17. Quite clearly, all of these aspects must be reviewed in full prior to the actual Board hearing.

Under these circumstances, it would seem reasonable to request deferral of any Board hearing on these issues until February or March when these matters can be organized after fuller imput by our office, Viacom and further analysis by your Committe, also taking into account Viacom's response to the request for a creation of Public Access Corporation.

L. L. S.

cc: Mark Kertz

CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 • TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

October 30, 1986

Honorable Doris M. Ward, Chair
Committee on Culture and Recreation
Board of Supervisors
City and County of San Francisco
San Francisco, CA 94102

Subject: The TPC's "Third-Year Window Period" Cable TV Franchise Revision Findings

Dear Supervisor Ward:

Enclosed is a copy of proposed franchise language changes for your Committee's consideration.

The document incorporates suggestions from public access users, municipal agencies, educational institutions, some recommendations emanating from the Harvey Rose Corporation management audit report, and from the TPC staff.

The source of revision suggestions is noted throughout the report. You will note that most of the ideas were advanced by TPC subcommittees or the TPC staff. The full Committee did not vote on the proposals but has passed along the full range of ideas for your consideration.

We have asked the City Attorney to clarify some of the legal implications of various proposals (letter attached).

The Telecommunications Policy Committee needs further direction from your Committee at this time regarding the its role in the "window period" franchise amendment process because it has received conflicting opinions concerning its role.

The City Attorney's office has construed the Section 25b reference to December 1st as meaning that the TPC must make its recommendations to the Board by December 1st of the review year and concurs with the TPC's conclusion that it has fulfilled this requirement by sending the enclosed thirty-seven page document to the Committee on Culture and Recreation on October 30th.

We look forward to seeing you on December 4th when the TPC's 0.2% access development budget proposal is heard and appreciate the close attention which you have given to the TPC's activities.

Sincerely,

Richard John Hoss

Richard John Hoss
Cable Officer

cc: Supervisor Kennedy
Supervisor Silver
Mr. John L. Taylor

Mr. Len Snaider

CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 · TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

November 26, 1986

Honorable Doris M. Ward, Chair
Committee on Culture and Recreation
Board of Supervisors
City and County of San Francisco
San Francisco, CA 94102

Subject: The Cable TV Franchise's "Three-Year Window Interval" Opportunity to Amend Service Requirements -- A Request to Calendar Proposed Changes for Hearing in February or March

Dear Supervisor Ward:

The TPC forwarded a copy of proposed franchise language changes on October 30th for your Committee's consideration on December 4th.

Concerned parties were then acting under the impression that the "window interval" amendments had to be enacted in December. The City Attorney's office subsequently concluded that the Board of Supervisors is not required to act by a specified date but only must act within a reasonable time which can be a matter of months rather than weeks (letter attached).

We agree with Mr. Snaider's conclusion that significant additional time is required to enable the Board of Supervisors to dispose of the issues raised in our thirty-seven page document. The first two paragraphs of the attached letter provide a description of the work entailed in preparing a thorough presentation.

The TPC adopted a resolution on November 24th which included a request that the Committee on Culture and Recreation defer its hearing of the "three-year window interval" issues until February or March. The last paragraph of the attached letter describes the benefits to be derived from the use of additional time.

The City Attorney's office has construed the Section 25b reference to December 1st as meaning that the TPC must make its recommendations to the Board by December 1st of the review year and concurs with the TPC's conclusion that it has fulfilled this requirement by sending the enclosed thirty-seven page document to the Committee on Culture and Recreation on October 30th.

We look forward to seeing you on December 4th when the TPC's 0.2% access development budget proposal is heard and appreciate the close attention which you have given to the TPC's activities.

Sincerely,

Richard John Hoss

Richard John Hoss
Cable Officer

cc: Supervisor Kennedy
Supervisor Silver
Mr. John L. Taylor

Mr. Len Snaider

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CITY AND COUNTY OF SAN FRANCISCO

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MINUTES OF THE MEETING OF DECEMBER 9, 1986

CALL TO ORDER AND ROLL CALL

The Vice Chair (Esteves) called the monthly meeting to order at 4:00 p.m. at the Committee's office at 1182 Market Street. Chair Emily Pike was not present due to an excused absence following an accident which requires an extensive amount of leave.

Members present: Rhonda Abrams, Roberto Esteves, George Kelsey, Hal Layer, Will Leong, and Michael Singsen were present.

Members absent: Gwen Dilworth-Battle, Sue Levitin and Emily Pike were absent.

Staff present: Dick Hoss; Contractors: Connie Brand, Andrea Torrice

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The agenda was adopted. The November 24th minutes were not available.

THE EXECUTIVE COMMITTEE REPORT

Esteves reported on developments at the Committee on Culture and Recreation meeting on December 4th. The TPC's two access development budgets were up for review but the hearing was largely given over to testimony by persons requesting that Viacom Cablevision resume cablecasting channels 42, 48 and 60.

The ensuing discussion included the TPC's survey budget and the potential for using "never subscribed" survey money to determine program interests.

Esteves reported that Supervisor Silver has the impression that the TPC has reprogrammed or carried-over $88,000 from previous years. Members agreed that the reported amount exceeds the amount of funds actually carried over. The never-subscribed survey funds were cited as an example of funds which are sometimes assumed to be carried-over but actually were appropriated for this year.

Esteves reported that the John O'Connell High School project funds can be spent this calendar year and not recycled into the six months budget. He said that Supervisor Ward wants to delete the fiscal agent fees that underpin the contract consultant arrangement. Esteves said that he cautioned Supervisor Ward about the importance of keeping continuity of payment to the contractors. The TPC is to use the City's chart of accounts in making it access development presentation.

Esteves requested approval to extend the Brand/Torrice contracts for six-months as a countermeasure against the possibility that the Board won't approve the access development budgets before the end of December.

MOTION: The TPC authorizes extension of the Brand/Torrice contracts through June 30, 1987. The Executive Committee shall oversee the process and is delegated to work out the details. Seconded and carried. The motion was approved on a voice vote with Abrams voting "no" and Dilworth-Battle abstaining.

Brand reported on a meeting with Civil Service Commission staff to learn what is involved in contracting directly with the City rather than with the fiscal agents which will be discontinued.

A discussion ensued concerning the request for a spread-sheet style integrated budget. Opinion was divided about the whether or not an integrated budget document should have been on hand for this meeting. Leong, as Treasurer, said that he directed staff as to the format required for this presentation. He said that he told the staff to prepare the document in the form presented.

The John O'Connell High School Project

A detailed conversation ensued concerning the TPC's ability to effectively spend the $19,075 this calendar year. Members were divided about the practicality of paying the money into the KALW trust fund during the month of December -- the issue being how the TPC would maintain control of use of the money. The meaning and enforceability of a proposed Memorandum of Understanding were discussed in detail.

MOTION: The TPC authorizes deletion of the John O'Connell High School project's $19,075 from the six-month budget to be presented to the Board of Supervisors. Seconded and carried. The motion carried on a voice vote with Abrams abstaining.

The Management Audit and the TPC's Senior Management Assistant Position

Esteves reported that Supervisor Silver has said that she supports the management audit recommendations concerning organization of the TPC staff. He introduced a motion to request budgeting of one half-time Senior Management Assistant and one-half time clerk-typist. Board approval would mean that Hoss' position with the TPC would become half-time and that he would work for the CAO half-time. The TPC would be given a half-time Clerk-Typist.

The ensuing discussion resulted in Esteves requesting that his motion be tabled.

The Access Development Budget

The TPC took up the revised access development budget proposals. Discussion included the public access computer and its high cost. Torrice explained that EIPSC controls the make and model of computer. The TPC discussed reassignment of fiscal agent fees; and the nature of clerical work requested for public access development.

MOTION: The TPC approves the access development budgets as revised following the November 24th meeting and authorizes presentation to the Board of Supervisors. The approved budgets are for the six-month period ending June 30, 1987 and for Fiscal Year 1987-88. Seconded and carried. The motion passed on a voice vote with Abrams abstaining.

Adjournment

The Committee adjourned at 6:30 p.m. The next monthly meeting will be held on January 26, 1987.